

THE JOURNAL OF THE ASSEMBLY

DURING THE

THIRTY-EIGHTH (EXTRA) SESSIONS

OF THE

LEGISLATURE OF THE STATE OF CALIFORNIA

1910.

Began on Tuesday, September Sixth, and ended on Friday,
September Ninth; and Monday, October Third, and ended
on October Fifth, Nineteen Hundred and Ten.



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INDEX
TO
DAILY JOURNALS OF THE ASSEMBLY

THIRTY-EIGHTH (EXTRA) SESSION.

	Page.
September 6.....	5
September 7.....	18
September 8.....	25
September 9.....	37

SECOND (EXTRA) SESSION.

October 3.....	43
October 4.....	64
October 5.....	73

CALIFORNIA LEGISLATURE—ASSEMBLY.

THIRTY-EIGHTH (EXTRA) SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, September 6, 1910. }

The Assembly met at ten o'clock A. M., in pursuance to the proclamation of His Excellency James N. Gillett, Governor of the State of California, dated the twenty-third day of August, 1910.

Hon. P. A. Stanton, Assemblyman from the Seventy-first District, and Speaker of the Assembly, in the chair.

In pursuance to the requirements of the Political Code, Section 237, the following officers of the Assembly of the thirty-eighth (regular) session of the Legislature were present and in their respective positions: Clio Lloyd, Chief Clerk; H. A. Harper, Minute Clerk; and John T. Stafford, Sergeant-at-Arms.

The Speaker directed the Chief Clerk to call the roll of Assemblymen.

The roll was called, and the following members of the Assembly answered to their names:

Messrs. Barndollar, Baxier, Beardslee, Beatty, Beban, Black, Bohnett, Butler, Callan, Cattell, Coghlan, Cogswell, Collier, Collum, Costar, Cronin, Cullen, Dean, Drew, Feeley, Flavell, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hammon, Hanlon, Hawk, Hayes, Hewitt, Hinkle, Hopkins, Irwin, Johnson of Sacramento, Johnson of San Diego, Johnson of Placer, Johnston, Juilliard, Kehoe, Leeds, Lightner, Macauley, McClellan, McManus, Mendenhall, Moore, Mott, Nelson, Odum, Otis, O'Neill, Perine, Polesley, Pugh, Pulcifer, Rech, Rutherford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Wagner, Webber, Wheelan, Whitney, Wilson, Wyllie, Young, and Mr. Speaker.

Quorum present.

PRAYER.

By invitation of the Speaker, the opening prayer was offered by the Rev. W. C. Sherman, of Sacramento, California.

The Speaker directed the Chief Clerk to read the Governor's proclamation.

The following was read:

PROCLAMATION BY THE GOVERNOR, CONVENING THE LEGISLATURE IN EXTRA-ORDINARY SESSION.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT.

WHEREAS, an extraordinary occasion has arisen, and is now existing, requiring the Legislature of the State of California to convene,

Now, therefore, I, James N. Gillett, Governor of the State of California, by virtue of the power and authority in me vested by Section 9, Article V of the Constitution of the State of California, do hereby convene the Legislature to meet and assemble in extraordinary session at Sacramento, California, on Tuesday the sixth day of

September, 1910, at 10 o'clock A. M. of that day, for the purpose of proposing to the people of the State of California constitutional amendments to be voted upon at the next general election, upon the following subjects, to wit:

First—The raising of the sum of five million dollars by the State of California for the purpose of assisting in the establishing, maintaining, and supporting the Panama-Pacific International Exposition, to be held in the city and county of San Francisco, in the year A. D. 1915, and providing for a state commission to have the exclusive charge and control of said sum of money and to expend and disburse it for such purposes, acting in conjunction with the directors of said exposition; also providing that the said Panama-Pacific International Exposition be exempt from all taxes and from all license fees and charges.

Second—Authorizing the city and county of San Francisco to amend its charter by a vote of its electors at either a special or general election, without submitting such amendments to the Legislature of the State of California for ratification and approval, for the following purposes, to wit:

(a) Incurring a bonded indebtedness which shall be exclusive of the bonded indebtedness now permitted by said charter, in an amount not exceeding five million dollars, and to grant and to turn over to the Panama-Pacific International Exposition Company (a corporation organized and existing under the laws of the State of California) the proceeds of said bonds, the same to be used and disbursed by said exposition corporation for the purpose of an exposition to be held in the city and county of San Francisco, to celebrate the completion of the Panama Canal.

(b) Authorizing said Panama-Pacific International Exposition Company to use and occupy that portion of Golden Gate Park westerly from Twentieth avenue, as extended, for said exposition purposes, and placing such portion of said park under the control of said corporation for such time as shall be necessary for such exposition purposes.

(c) Authorizing said Panama-Pacific International Exposition Company to use and occupy for such exposition purposes any lands held by the Board of Education of the city and county of San Francisco, and by the city and county of San Francisco, and not then in actual use.

(d) Authorizing said Panama-Pacific International Exposition Company to open, close, and occupy streets in said city and county of San Francisco, westerly from Twentieth avenue, for exposition purposes.

In witness whereof, I have hereunto set my hand and caused to be affixed hereunto the great seal of the State of California, at my office in the State Capitol, this twenty-third day of August, in the year of our Lord one thousand nine hundred and ten, and of the admission of the State of California the sixtieth.

J. N. GILLET, T.

Governor of the State of California.

[SEAL]

Attest: CHAS. F. CURRY,
Secretary of State.

RESOLUTIONS.

The following resolutions were offered:
By Mr. Drew:

Resolved, That the following persons be and are hereby elected officers of the Assembly, with per diem as fixed by statute:

Hon. P. A. Stanton.....	Speaker.
Hon. Geo. M. Perine.....	Speaker pro tem.
T. G. Walker.....	Assistant Clerk
H. A. Harper.....	Minute Clerk
Wm. Nye.....	Journal Clerk.
John T. Stafford.....	Sergeant-at-Arms.
Bernard Cohn.....	First Assistant Sergeant-at-Arms.
J. Kofod.....	Second Assistant Sergeant-at-Arms.
W. C. Sherman.....	Chaplain.

Also:

Ralph A. Sollars.....	Stenographer.
W. Murphy.....	Porter.
J. J. Trabach.....	Gatekeeper
J. Furrington.....	Gatekeeper.
P. Simmons.....	Gatekeeper.
T. Malvius.....	Gallery doorkeeper
Wm. Sutton.....	Porter.
M. Bridge.....	Porter
S. Addison.....	Porter.
O. P. Dodge.....	Porter.
Tom Farewell.....	Page.
Chas. Rothwell.....	Page.
Herbert Bowden.....	Page
Henry Ryan.....	Page.
John Hayes.....	Page.

And be it further resolved. That the State Controller be and he is hereby directed to draw his warrants in favor of the above named persons, and the State Treasurer is hereby directed to pay such warrants, for and at the fixed per diem.

Resolved. That all officers, attachés and employés, whose names do not appear on the above report or in the foregoing resolution, are hereby dismissed and their names stricken from the pay roll.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beatty, Beban, Black, Bohnett, Butler, Cattell, Coghlan, Cogswell, Collier, Collum, Costar, Cronin, Cullen, Dean, Drew, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hammon, Hawk, Hayes, Hewitt, Hinkle, Hopkins, Johnson of Sacramento, Johnson of San Diego, Johnson of Placer, Johnston, Juillard, Leeds, Lightner, Macauley, Maher, McManus, Melrose, Moore, Mott, Odum, Otis, O'Neill, Perine, Polsley, Preston, Pulcifer, Rutherford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Webber, Wheelan, Whitney, Wilson, Wyllie, Young, and Mr. Speaker—64.

NOES—None.

Also:

Resolved. That Clio Lloyd be elected Chief Clerk to serve without per diem fixed by law.

Resolution read and adopted.

Whereupon the Speaker declared the above named duly elected officers of the Assembly for the thirty-eighth (extra) session of the Legislature.

OATH OF OFFICE.

The afore-named officers (elect) of the Assembly presented themselves at the bar of the Assembly and each took and subscribed to the following oath of office:

I do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of California, and that I will faithfully discharge the duties of the office to which I have been elected, according to the best of my ability.

RESOLUTIONS—RESUMED.

The following resolutions were offered:

By Mr. Transue:

Resolved. That the Chief Clerk be and he is hereby instructed to inform the Senate that the Assembly is in session, pursuant to the proclamation of His Excellency the Governor, dated Tuesday, August 23, 1910, and ready for the transaction of legislative business, with the following officers, to wit:

Speaker—Hon. P. A. Stanton.
Speaker pro tem—Hon. Geo. M. Perine.
Chief Clerk—Clio Lloyd.
Minute Clerk—H. A. Harper.
Sergeant-at-Arms—John T. Stafford.
Assistant Clerk—T. G. Walker.
Journal Clerk—Wm. Nye.
Chaplain—W. C. Sherman.

Resolution read and adopted.

By Mr. Griffiths:

Resolved. That a select committee of three be appointed by the Speaker to act with a like committee from the Senate, to wait upon the Governor and inform him that the two houses of the Legislature are in session, and in readiness to receive any communication which he may have to make.

Resolution read and adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Griffiths, Flint, and Preston as such committee.

By Mr. Johnston:

Resolved, That until further order the Standing Rules of the Assembly at its last regular session be and the same are hereby adopted as the rules of this session, and the committees appointed at the last regular session shall remain as the committees of the special session, provided that all vacancies shall be filled by appointment by the Speaker.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Beban, Black, Bohnett, Butler, Cattell, Coghlan, Cogswell, Collier, Collum, Costar, Cronin, Cullen, Deau, Drew, Feeley, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hammon, Hawk, Hayes, Hewitt, Hinkle, Hopkins, Johnson of Sacramento, Johnson of San Diego, Johnson of Placer, Johnston, Juillard, Kehoe, Leeds, Lightner, Macauley, Maher, McManus, Melrose, Moore, Mott, Odom, Otis, O'Neill, Perine, Polsley, Preston, Pugh, Pulcifer, Rutherford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Webber, Wheelan, Whitney, Wilson, Wylie, Young, and Mr. Speaker—68.

NOES—None.

STANDING RULES OF ASSEMBLY.

1. *Hour of Meeting*

The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes A. M. Until _____, 1910, adjournment shall be taken at twelve o'clock and thirty minutes P. M., and after said date a recess shall be taken at said hour to two o'clock P. M., unless otherwise ordered by a vote of the house.

2. *Order of Business.*

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal.
4. Presentation of Petitions
5. Reports of Standing Committees.
6. Reports of Select Committees.
7. Messages from the Governor.
8. Messages from the Senate.
9. Introduction and Reference of Bills.
10. Motions and Resolutions
11. Special Orders of the Day.
12. Unfinished Business of the Preceding Day.
13. Business on Special File.
14. Business on General File and Third Reading of Bills.

3. *Reports of Committee on Engrossed and Enrolled Bills*

It shall be in order for the Committee on Engrossed and Enrolled Bills to report at any time.

4. *Messages from the Governor and Senate.*

Messages from the Governor and from the Senate may be considered at any time by a vote of the House.

5. *Petitions to be Presented, with a Brief Statement of Contents.*

Petitions, memorials and other papers addressed to the House shall be presented by the Speaker, or by a member in his place. A brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table, or be referred, as the House shall determine.

6. *Introduction and Reading of Bills.*

Any member desiring to introduce a bill shall rise in his place and address the Speaker, and, upon being recognized, shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at either reading until the House has so determined by a vote. All bills to appropriate money for contingent purposes shall be presented by a Committee on Ways and Means. The chairman or clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

7. *Introduction of Bills by Committee.*

Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper

second-reading file. When such a bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, ordered printed, and placed upon the Assembly file for further action.

8. *Disposition of Senate Bills.*

When a Senate bill has been received by the House, with a message announcing that the same has passed the Senate, such bill shall be referred to a standing committee; *provided, however*, that when a Senate bill is received, the provisions of which are identical with those of an Assembly bill which has already been considered and reported by a committee of the House, such Senate bill shall be substituted for the Assembly bill (the latter being considered withdrawn), shall take the same place upon the Assembly file, and be considered as having received the same recommendation of the Assembly committee, *provided*, that the fact that the bills are identical shall be entered in the Journal.

9. *Joint Resolutions and Constitutional Amendments.*

Joint resolutions shall be treated the same as bills; *provided*, that they shall be read but once, and that after they have been reported by a committee; *and provided further*, that the ayes and noes shall not be called upon their adoption, unless regularly demanded. Proposed amendments to the Constitution shall be treated the same as bills, *provided*, they shall be read but once, and only after they shall have been reported by a committee.

10. *Proceedings Touching Appropriations of Money to be Considered in Committee of the Whole.*

All bills making appropriations of money shall be considered in a Committee of the Whole House while on second reading, and no addition to any appropriation shall be made out of Committee of the Whole.

11. *Reference of Bills*

No debates shall be allowed on any motion to refer a bill or resolution to a committee. The Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the House by a majority vote refer it to some other committee.

12. *Referring with Special Instructions.*

A bill or resolution may be committed with special instructions at any time after the third reading has been ordered.

13. *Order of Making File.*

Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule 6. When reported back they shall be placed upon the general file, to be kept by the Clerk, as follows: All bills when reported to the House by the committee shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading; and precedence shall be given in the consideration of bills in the following order: third-reading file and second-reading file, unless otherwise ordered by a two-thirds vote of the House. The Clerk shall post, in a conspicuous place in the chamber, a daily statement of the bills on the general file, setting forth the order in which they were filed, and specifying the alterations arising from the disposal of business each day.

14. *Order of Making Special File*

The Clerk shall, from time to time, make up a file, to be known as the special file, on which he shall place bills relating to appropriations for the support of the State government and State institutions, revenue, election laws, and constitutional amendments, in the order named and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the general file be substituted for any bill thereon.

15. *Taking Up Bills Out of Order.*

When a member shall ask leave to have a bill taken up out of its regular order, he shall, in making the motion, give the number and title of the bill, and its position on the file.

16. *Engrossing and Enrolling Bills.*

The Engrossing and Enrolling Clerk shall engross, and enroll, the bills which shall come to his hands for such purposes, in compliance with the provisions of Section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. Said Clerk shall be responsible for every violation of this rule by his assistants or deputies; no clerk of this House, or his deputy or assistant, shall demand or receive from any person any compensation other than that provided by law for any services performed by him in regard to the bills or preparation of bills before this House.

17. *Bills to be Reported Back Within Ten Days*

All bills referred to any committee shall be by such committee reported back to the House, with its action thereon, within ten days after such reference, unless the House, by request of such committee, shall otherwise order

DUTIES OF SPEAKER.

18. *To Call House to Order.*

The Speaker, or, in his absence, the Speaker pro tem., shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and the Speaker pro tem., the Chief Clerk, or an assistant, shall call the House to order, whereupon a chairman shall be elected from among the members to preside.

19. *To Preserve Order; to Decide Points of Order; and May Speak to Same.*

He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

20. *To Have Direction of the Hall; May Call Any Member to the Chair.*

He shall have general direction of the hall. He shall have a right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

21. *To Sign Resolutions, etc., Attested by the Clerk.*

All acts, addresses, and joint resolutions shall be signed by the Speaker, and all writs, warrants, and subpoenas issued by order of the House shall be under his hand, attested by the Clerk

22. *May Order the Galleries and Lobby Cleared.*

In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared

DUTIES OF THE SERGEANT-AT-ARMS.

23. *To Attend Sitzings of House; Scribe Proceedings*

The Sergeant-at-Arms shall attend the House during its sittings, to execute the commands of the Speaker of the House, and all process issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House. He shall also have supervision of all the attachés of the House (except the clerks at the desk, the committee attachés, and the page to the Speaker, which page shall be under the exclusive supervision of the Speaker), and shall be responsible for the performance of their duties, and shall have power to suspend any attaché under him for dereliction of duty, and shall report to the Speaker such suspension and the causes thereof; said attaché shall not receive any pay during the time of such suspension. The Speaker shall have the power to relieve the attaché of his suspension, and shall have the power to remove any attaché for incompetency or for willful neglect of duty.

24. *Fees of Sergeant-at-Arms.*

The Sergeant-at-Arms shall receive for every arrest the sum of one dollar; for each day's custody and release, one dollar; and for traveling expenses for himself, or a special messenger, going and coming, ten cents per mile; but no compensation shall be allowed for the arrest, custody, or release of members under a call of the House, within the limits of the Capitol grounds. All fees accruing to the Sergeant-at-Arms for arrest, custody, and release of members, shall be paid by the members so arrested, held in custody, and released, unless excused by a vote of the House. And when a member shall be excused by the House, the Sergeant-at-Arms shall not be allowed any fees for the arrest.

25. *Assistant Sergeant-at-Arms to be Doorkeeper.*

The Assistant Sergeant-at-Arms shall be the Doorkeeper, and shall be sworn to keep the secrets of the House.

26. *Standing Committees*

The Standing Committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of seven members.
2. A Committee on Attachés and Employés, to consist of seven members
3. A Committee on Banks and Banking, to consist of five members.
4. A Committee on Building and Loan Associations, to consist of seven members.
5. A Committee on Claims, to consist of seven members
6. A Committee on Commerce and Navigation, to consist of nine members.
7. A Committee on Commissions and Public Expenditures, to consist of seven members.

8. A Committee on Contingent Expenses and Accounts, to consist of five members.
9. A Committee on Constitutional Amendments, to consist of seven members.
10. A Committee on Contested Elections, to consist of seven members.
11. A Committee on Corporations, to consist of nine members.
12. A Committee on Counties and County Boundaries, to consist of nine members.
13. A Committee on County and Township Governments, to consist of thirteen members.
14. A Committee on Dairies and Dairy Products, to consist of nine members.
15. A Committee on Election Laws, to consist of seven members.
16. A Committee on Education, to consist of nine members.
17. A Committee on Engrossment and Enrollment, to consist of seven members.
18. A Committee on Fruit and Vine Interests, to consist of seven members.
19. A Committee on Fish and Game, to consist of eleven members.
20. A Committee on Federal Relations, to consist of seven members.
21. A Committee on Governor's Messages, to consist of five members.
22. A Committee on Immigration, to consist of nine members.
23. A Committee on Insurance and Insurance Laws, to consist of nine members.
24. A Committee on Irrigation, to consist of nine members.
25. A Committee on Judiciary, to consist of twenty-one members.
26. A Committee on Labor and Capital, to consist of nine members.
27. A Committee on Levees and River Improvements, to consist of seven members.
28. A Committee on Manufactures and Internal Improvements, to consist of seven members.
29. A Committee on Mileage, to consist of five members.
30. A Committee on Military Affairs, to consist of seven members.
31. A Committee on Mines and Mining Interests, to consist of nine members.
32. A Committee on Municipal Corporations, to consist of seven members.
33. A Committee on Oil Industries and Oil Mining Interests, to consist of nine members.
34. A Committee on Public Buildings and Grounds, to consist of eleven members.
35. A Committee on Public Health and Quarantine, to consist of seven members.
36. A Committee on Public Lands and Forestry, to consist of seven members.
37. A Committee on Public Morals, to consist of nine members.
38. A Committee on Public Printing, to consist of seven members.
39. A Committee on Public Works, State Capitol, and Parks, to consist of seven members.
40. A Committee on Public Charities and Corrections, to consist of seven members.
41. A Committee on Reform of the Civil Service, to consist of five members.
42. A Committee on Retrenchment and Reform, to consist of seven members.
43. A Committee on Revenue and Taxation, to consist of nine members.
44. A Committee on Revision and Reform of Laws, to consist of nine members.
45. A Committee on Roads and Highways, to consist of eleven members.
46. A Committee on Rules and Regulations, to consist of five members, one of whom shall be the Speaker.
47. A Committee on State Hospitals and Asylums, to consist of eleven members.
48. A Committee on State Library, to consist of five members.
49. A Committee on State Prisons and Reformatory Institutions, to consist of nine members.
50. A Committee on Ways and Means, to consist of fifteen members.
51. A Committee on Universities, to consist of seven members.
52. The San Francisco Delegation, to whom may be referred matters of interest to the City and County of San Francisco, but not to the exclusion of the jurisdiction of other committees.
53. The Los Angeles Delegation, to whom may be referred matters of interest in particular to the City and County of Los Angeles, but not to the exclusion of the jurisdiction of the other committees.
54. A Committee on Common Carriers, to consist of eleven members.

27. *Committees to be Appointed by Speaker.*

All committees shall be appointed by the Speaker, unless otherwise ordered by the House.

28. *Committee on Contested Elections.*

It shall be the duty of the Committee on Contested Elections to examine and report upon the certificates of election, or other credentials of the members returned to serve in this House, and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come into question, and be referred to them by the House.

29. *Committee on Ways and Means.*

It shall be the duty of the Committee on Ways and Means to take into consideration all reports of the State Officers and State Boards or State Commissions and all propositions relative to the revenue of the State as may be referred to them by the Assembly; to inquire into the state of the revenue and expenditures of the State, and report from time to time their opinion thereon. All bills for the appropriation

of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means, and said committee shall consider them and report thereon the amount of appropriation required, but such bill shall retain its place on the file pending its consideration by said Committee on Ways and Means.

The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

30. *Committee on Commissions and Public Expenditures.*

It shall be the duty of the Committee on Commissions and Public Expenditures to ascertain what State commissions, institutions, or boards, if any, can be abolished or consolidated with advantage to the public, in view of a more economical administration of State affairs; to ascertain what expenditures and salaries of the various public offices and institutions can be advantageously reduced or discontinued; to prepare and report to the Assembly such bills or resolutions as may be required to carry out the recommendations of the committee.

31. *Committee on Engrossment.*

It shall be the duty of the Engrossing Committee to compare all bills ordered or considered engrossed by this House with the engrossed copies thereof; and before they pass out of the possession of the House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

32. *Committee on Revision and Reform of Laws.*

It shall be the duty of the Committee on Revision and Reform of Laws to take into consideration all petitions, bills, and resolutions touching the revision and reform of the existing laws of the State of California that shall or may be presented or come into question and be referred to it by the Assembly.

33. *Committee Expenditures.*

No committee shall be permitted to incur any expense by visiting any part of the State on official or other business, without first obtaining leave of the House by a two-thirds vote of the members thereof.

34. *Committee on the Whole House.*

In forming a Committee of the Whole House, a chairman, to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the Assembly by the Chairman. After report to the Assembly, the bill shall again be subject to amendment before a vote on the report is taken.

35. *Rules in Committee of the Whole.*

The rules of the Assembly shall be observed in Committee of the Whole, as far as may be applicable, except limiting the time of speaking, and except that the ayes and noes shall not be taken.

36. *Motion to Rise Decided Without Debate.*

A motion that the committee rise shall always be in order, and shall be decided without debate.

37. *Reference of Bills.*

When a motion is made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order:

- The Committee of the Whole.
- A Standing Committee.
- A Select Committee.

38. *Calling Members to Order When Transgressing Rules.*

If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House, but no discussion of a question of order shall be allowed, unless an appeal be taken from the decision of the Chair.

39. *Speaker to Decide Who is Entitled to the Floor.*

When two or more members shall rise at once, the Speaker shall name the member who is first to speak.

40. *Order in Speaking to Questions.*

Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question. No member shall be allowed to speak more than thirty (30) minutes upon any question, except by leave of the House.

41. *Called to Order for Offensive Words in Debate.*

If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken or other business has intervened after the words spoken, and before exception to them shall have been taken.

42. *Personal Explanation.*

Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

43. *Motions to be Stated by Speaker shall be Reduced to Writing, or May be Withdrawn.*

No motion shall be debated until the same be seconded and distinctly announced by the Speaker; and it shall be reduced to writing, if desired by the Speaker, or any member, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn by leave of the House, at any time before amendment or decision.

44. *Motion to Adjourn.*

A motion to adjourn shall always be in order, except during roll call. The Clerk shall enter on the Journal the name of any member moving an adjournment, also the hour at which the motion was made.

When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House, which would seem to render it improper to adjourn at that time. Such statement, however, shall not be debatable, and such statement or statements shall not, in any case, occupy more than two minutes.

Concurrent resolutions for adjournment *sine die* shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolution not later than the next legislative day, and with regard to the status of the general appropriation bill and the tax levy.

45. *Precedence of Motions During Debate.*

When a question is under debate, or before the House, no motion shall be received but: To adjourn; to lay on the table; for the previous question; to postpone to a day certain; to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have preference over a motion to amend, and, if carried, shall be considered equivalent to its rejection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

46. *Previous Question*

The previous question shall be in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

47. *Questions of Order After Previous Question is Ordered.*

All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate; *provided*, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto.

48. *Previous Question Demanded.*

The previous question shall only be put when demanded by three members.

49. *Question Indefinitely Postponed.*

When a question is postponed indefinitely, the same shall not again be introduced during the session.

50. *Division of Questions.*

Any member may call for a division of the question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither a motion to add to, nor a motion to strike out and insert.

51. *Substitute.*

A substitute shall be deemed and held to be an amendment, and be treated in all respects as such.

52. *Subjects Different from the One Under Consideration.*

No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

53. *Printing of Bills.*

Five hundred copies of all bills shall be printed. The Sergeant-at-Arms shall be required to certify to the reception by the House of all such printed matter, and the quantity thereof.

54. *Printing Extra Number of Bills, etc.*

A proposition to print an extra number of any document or other matter shall lie on the table one day for consideration, unless otherwise ordered by consent of the House.

55. *Printing of Maps.*

Maps accompanying documents shall not be printed under the general order to print, without the special direction of the House.

56. *Filling Blanks.*

In filling up blanks the least sum and shortest time shall be first put.

57. *Priority of Business.*

All questions relating to the priority of business shall be decided without debate

58. *Reading of Papers.*

When the reading of a paper is called for, except petitions, and the same is objected to by any member, it shall be determined by a vote of the House, without debate.

59. *Notice of Reconsideration.*

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the majority; and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion.

60. *Elections by House.*

In all cases of election by the House the vote shall be taken *visa voce*.

61. *Calling Ayes and Noes.*

The ayes and noes shall be taken on the final passage of all bills, and when called for by three members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

62. *Members at Clerk's Desk.*

No member or other person shall remain by the Clerk's table while the ayes and noes are being called, or while the votes are being counted.

63. *Voting on Question When Interested.*

No person shall vote on any question in the result of which he is personally interested or involved.

64. *Division and Count of House.*

Upon a division and count of the House on any question, no person without the bar shall be counted

65. Explaining or Changing Vote.

No member shall be allowed to explain his vote or discuss the question while the ayes and noes are being called, and no member shall be allowed to change his vote after the vote is announced from the chair.

66. Call of the House.

Upon a call of the House the names of the members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall again be called over. The door shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and taken into custody by the Sergeant-at-Arms wherever to be found, or by special messenger, to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a call of the House and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the House.

67. Suspending and Changing Rules

No standing rule or order of the House shall be rescinded or changed without a vote of two thirds, and one day's notice being given of the motion therefor; *provided*, that the Committee on Rules and Regulations may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes:

1. Bills affecting the State government, its revenue, its various departments or commissions, or appropriations therefor.
2. Bills affecting county and township governments, or roads and highways.
3. Bills affecting town, city, city and county governments, or the municipal affairs of the same.
4. Bills amending election or primary election laws.
5. Constitutional amendments.
6. Bills amending or repealing the Codes or sections thereof.

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendment by the House.

On the adoption of such temporary rule by the House by a two thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise, such bill shall thereupon be made the special order for the time fixed therein.

A rule of order may be suspended temporarily by a vote of two thirds of the members present, except that portion of Rule 6 relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules and Regulations.

The Committee on Rules and Regulations may also, at any time, report a temporary rule or regulation for the consideration of the business on the file, having regard to the condition of the business of the House. When such temporary rule or regulation shall have been adopted by the House, it shall have the effect, for the time being, of a standing rule, and shall be enforced by the Speaker.

68. Members Absenting Themselves.

No member shall absent himself from the service of the House without the leave of the House, except in case of sickness; and if any member or officer of the House absent himself without leave, his *per diem* shall not be allowed him; but no member shall obtain leave of absence, or be excused, without a vote of two thirds of the House.

69. Persons Admitted to Floor.

No person except Senators, State officers, Governors and ex-Governors of States, Members of Congress, Judges of the Supreme or Superior Courts, members of the press when accredited by their respective journals, ladies when specially invited by a member of the House, shall be admitted within the Assembly Chamber, except in the galleries, during the session of the House; but a majority may have the floor of the House within the bar cleared of any or all such persons. The Speaker is charged with the enforcement of this rule.

70. Smoking in Hall.

No smoking shall be allowed within the Assembly Chamber during the session of the House.

71. Parliamentary Rules

The rules of parliamentary practice contained in Roberts' Rules of Order shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and House of Assembly.

72. Use of Hall.

The Assembly Room shall not be used for any public or private business other than legislative, except by consent of a majority of the House.

73. Fees for Witnesses.

Witnesses summoned to appear before the House, or any of its committees, shall be paid as follows: For each day a witness shall attend, the sum of two dollars; for each mile he shall travel in coming to and going from place of examination, the sum of ten cents. No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

74. Protest of Members.

It shall be in order for any member or members to protest against the action of the House, and have such protest entered upon the minutes.

75. Fees Allowed in Cases of Contest.

Whenever, in the Assembly, a contest is made for the seat of any Assemblyman, no more than two hundred dollars shall be allowed as counsel fees to either side.

76. Assignment of Attachés.

The Committee on Attachés and Employés shall assign the committee clerks and the official stenographers of the House to the various committees; *provided*, that the Committee on Judiciary and the Committee on Ways and Means shall each be entitled to one clerk and one stenographer, to be selected by the chairman of those committees, respectively.

All assignments of committee clerks and stenographers made by the Committee on Attachés and Employés under this rule be reported to the House and entered in the Journal.

77. Introduction of Bills After Fiftieth Day

On or prior to the fiftieth day of the session the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the fiftieth day shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

That committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution without debate.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill.

78. Leave of Absence of Committee Visiting Public Institutions.

When leave of absence shall be granted any committee, special or standing, to visit public buildings or institutions, or for any other purpose, such leave shall be granted only by a two thirds vote taken *viva voce*, and no expenses or mileage of attachés shall be allowed. No member of the Assembly shall accompany a committee as a substitute for a member thereof who declines to accompany the committee, without permission for such substitution being obtained from the Speaker. Application for a leave of absence for a committee shall be made to the Assembly by the chairman thereof, by resolution, which shall give the name of the institution or institutions to be visited, and briefly recite the occasion and necessity for visiting the same, together with the number of committeemen desiring leave. Such resolution shall immediately, and without debate, be referred to the Committee on Rules and Regulations, with instructions to report upon the next legislative day on the same, and whether the leave of absence can be granted without interfering with the business of the Assembly.

SENATE MESSAGE.

The following message from the Senate was received and read:

SENATE CHAMBER, SACRAMENTO, September 6, 1910

MR SPEAKER. I am directed to inform your honorable body that the Senate is now duly organized and ready to proceed to the business of the State, having elected the following statutory officers:

President pro tem—Edward I Wolfe.
Secretary of the Senate—Lewis A. Hilborn.
Sergeant-at-Arms—J. Louis Martin
Minute Clerk—W. H. Wright.
Chaplain—Rev. Father Henry H Wyman.

LEWIS A. HILBORN, Secretary of Senate.

MOTION.

Mr. Greer moved that the Assembly at eleven o'clock and fifteen minutes A. M. resolve itself into the Committee of the Whole, and that a committee of three be appointed to invite the Senate and representatives of the Panama Pacific Exposition Company to address the committee in the interests of the Panama Pacific International Exposition.

Motion carried.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above motion, the Speaker appointed the following select committee: Messrs. Greer, Feeley, and Odom.

RECESS.

At eleven o'clock A. M., on motion of Mr. Greer, the Assembly was declared at recess for ten minutes.

RECONVENED.

At eleven o'clock and ten minutes A. M. the Assembly reconvened. Speaker P. A. Stanton in the chair.

REPORT OF SELECT COMMITTEE.

The following report of Select Committee was received and read:

MR. SPEAKER: Your committee of three appointed to wait upon the Governor, respectfully beg leave to report that they informed him that the Assembly is organized and is ready to transact the business of the State, and your committee was further requested by His Excellency to report that he had no further communications to make to your honorable body, except to congratulate you upon the fact that you are again organized for the dispatch of the business of the State.

GRIFFITHS, Chairman.

SENATE AT THE BAR OF THE ASSEMBLY.

At eleven o'clock and twelve minutes A. M. the Senate appeared at the bar of the Assembly, and were seated with the members of the Assembly.

INTRODUCTION OF CONSTITUTIONAL AMENDMENTS.

The following were introduced:

By Messrs. Coghlan and Beban: Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California amending Section 22 of Article IV, relating to how money may be appropriated and drawn from the state treasury.

Assembly constitutional amendment read and referred to Committee on Constitutional Amendments.

By Mr. Schmitt: Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, authorizing the city and county of San Francisco to amend its charter in aid of Panama-Pacific International Exposition, and to that end amending Article XI of said Constitution by adding a new section thereto, to be known as Section 8a.

Assembly constitutional amendments read and referred to Committee on Constitutional Amendments.

IN COMMITTEE OF THE WHOLE.

In accordance with motion, at eleven o'clock and fifteen minutes A. M. the Assembly resolved itself into the Committee of the Whole for the purpose of hearing addresses in behalf of the Panama-Pacific International Exposition.

Hon. P. A. Stanton, Speaker of the Assembly, in the chair.

ADDRESSED BY VISITORS.

Upon invitations by the Chairman, the committee was addressed by the following persons: R. B. Hale, Leon Sloss, Jas. McNab, Julius Kahn, W. C. Ralston, and D. C. Collier.

At the close of the addresses Mr. Transue moved the committee rise and file its report.

Motion carried.

REPORT OF COMMITTEE.

The following report of the Committee of the Whole was received:

MR. SPEAKER: Your committee of the Whole, the Speaker in the chair, which was requested to meet with the members of the Senate as our guests, for the purpose of receiving and listening to the gentlemen representing the Panama-Pacific Exposition Company, beg to report that pursuant to your instructions we have met in Committee of the Whole, the members of the Senate being present, and that the following named gentlemen representing the Panama-Pacific Exposition Company were present (accompanied by a large delegation of citizens), and addressed the committee:

Hon. R. B. Hale, President of the Panama-Pacific Exposition Company;

Hon. Leon Sloss, Director of the Panama-Pacific Exposition Company;

Hon. James McNab, Chairman of the Legislative Committee of the Panama-Pacific Exposition Company;

Hon. W. C. Ralston, member of the Legislative Committee of the Panama-Pacific Exposition Company;

Hon. D. C. Collier, Director General of Panama-California Exposition; and

Hon. Julius Kahn, Representative in Congress from the Fourth California District.

STANTON, Chairman.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes A. M., on motion of Mr. Coghlan, the Speaker declared the Assembly adjourned until ten o'clock A. M. of Wednesday, September 7, 1910.

IN ASSEMBLY

ASSEMBLY CHAMBER.

Wednesday, September 7, 1910. }

At ten o'clock A. M., pursuant to adjournment, the Assembly was called to order.

Hon. P. A. Stanton, Speaker of the Assembly, in the chair.

The roll was called, and the following members answered to their names:

Messrs. Barndollar, Baxter, Beardslee, Beatty, Beban, Black, Bohnett, Butler, Callan, Cattell, Coghlan, Cogswell, Collier, Cullum, Costar, Cronin, Cullen, Dean,

Drew, Feeley, Flavelle, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hammon, Haulon, Hawk, Hayes, Hewitt, Hinkle, Hopkins, Irwin, Johnson of Sacramento, Johnson of Placer, Johnson of San Diego, Johnston of Contra Costa, Kehoe, Leeds, Lightner, Macauley, Maher, McClellan, McManus, Melrose, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perine, Polsley, Preston, Pugh, Puleifer, Rech, Rutherford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Wheelan, Whitney, Wilson, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by Rev. L. S. Jones of Sacramento.

READING OF JOURNAL.

During the reading of the Journal, on motion of Mr. Beardslee, its further reading was dispensed with.

COMMUNICATION.

The following communication was received and ordered printed in the Journal:

SACRAMENTO, CAL., September 6, 1910.

HON. PHIL A. STANTON, *Speaker of California Assembly, Sacramento, California.*

MY DEAR SIR: By resolution of the Board of Directors of the State Agricultural Society, I am requested to invite you and all the members of the Assembly to visit the State Fair, now in progress in Sacramento, as guests of said Directors to-morrow (Wednesday) afternoon at 2 o'clock. Please have this invitation read at the desk, with a request that we be notified promptly of the members' action thereon, in order that arrangements may be made by our Directors to meet them at the State Capitol and escort them in body to the Fair grounds.

Anticipating a prompt and favorable reply, I beg to remain, on behalf of the Directors of the State Agricultural Society,

Very respectfully,

J. A. FILCHER, Secretary.

MOTION.

Mr. Johnson of Sacramento moved that the Assembly accept the invitation of the State Agricultural Society, and that when the Assembly adjourn it adjourn until ten o'clock A. M. of Thursday, September 8, 1910.

Motion carried.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, September 6, 1910.

MR. SPEAKER: Your Committee on Mileage beg leave to report that they have computed the mileage according to Part II, Title III, and Section 237 of the Political Code, and recommend the adoption of the resolution herewith:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby ordered and directed to pay the same.

Assemblyman	Address	Mileage	Amount.
Bairdollar, Harry	Long Beach	936	\$93 60
Baxter, E. M.	Yosemite	484	48 40
Beardslee, R. L.	Stockton	96	9 60
Beatty, Henry N.	San Francisco	180	18 00
Beban, Dominick J.	San Francisco	180	18 00
Black, George J.	San Francisco	180	18 00
Bohnett, L. B.	San Jose	256	25 60
Butler, E. I.	San Rafael	210	21 00
Callan, E. J.	San Francisco	180	18 00

Assemblyman	Address	Mileage	Amount
Cattell, H. G.	Pasadena	912	\$91 20
Coghlan, Nathan C.	San Francisco	180	18 00
Cogswell, Prescott F.	El Monte	924	92 40
Collier, E. B.	Corona	1,004	100 40
Collum, B. J.	San Francisco	180	18 00
Costar, W. J.	Chico	192	19 20
Cronin, J. R.	Benicia	114	11 40
Cullen, J. A.	San Francisco	180	18 00
Dean, Arthur	Redding	342	34 20
Drew, A. M.	Fresno	338	33 80
Feeley, James T.	Oakland	168	16 80
Flavelle, J. W.	Ontario	972	97 20
Fleisher, Samuel	Santa Maria	750	75 00
Flint, W. R.	Fairview (Hollister)	354	35 40
Gerdes, Fred C.	San Francisco	180	18 00
Gibbons, Oscar	San Luis Obispo	686	68 60
Gillis, K. C.	Yreka	590	59 00
Greer, W. W.	Oak Park	6	60
Griffiths, W. B.	Monticello	178	17 80
Hammon, Percy V.	Los Angeles	894	89 40
Hanlon Wm. J.	Los Angeles	894	89 40
Hans, George J.	Fruitvale	174	\$17 40
Hayes, Daniel R.	Santa Clara	256	25 60
Hewitt, A. H.	Yuba City	106	10 60
Hinkle, E. C.	San Diego	1,146	114 60
Hopkins, James E.	San Francisco	180	18 00
Johnson, Percy A.	Fallbrook	1,104	110 40
Johnson, P. H.	Roseville	36	3 60
Johnston, T. D.	Richmond	158	15 80
Juilliard, Louis W.	Santa Rosa	180	18 00
Kehoe, William	Eureka	624	62 40
Leeds, Walter R.	Los Angeles	894	89 40
Lightner, Charles	San Francisco	180	18 00
Macauley, Walter	San Francisco	180	18 00
Maher, J. B.	Santa Cruz	396	39 60
McClellan, J. W.	Bridgeville	734	73 40
McManus, John J.	San Francisco	180	18 00
Melrose, Richard	Anaheim	950	95 00
Mendenhall, John L.	Williams	120	12 00
Moore, E. B.	Copperopolis	180	18 00
Mott, John W.	Oakland	168	16 80
Nelson, Charles A.	San Francisco	180	18 00
Odom, William R.	Coalinga	526	52 60
Otis, Frank	Alameda	182	18 20
O'Neill, Florence J.	San Francisco	180	18 00
Perine, George M.	San Francisco	180	18 00
Polsley, Harry	Red Bluff	304	30 40
Preston, John W.	Ukiah	300	30 00
Pugh, William C.	San Francisco	180	18 00
Pulcifer, Harry W.	Oakland	168	16 80
Rech, J. N. O.	Los Angeles	894	89 40
Rutherford, F. M.	Truckee	242	24 20
Sackett, George L.	Ventura	980	98 00
Schmitt, Milton L.	San Francisco	180	18 00
Silver, Thos. H.	Pleasanton	172	17 20
Stanton, P. A.	Los Angeles	894	89 40
Stuckenbruck, J. W.	Acampo	78	7 80
Telfer, Robert L.	San Jose	256	25 60
Transue, J. P.	Los Angeles	894	89 40
Wagner, Chas. W.	Madera	294	29 40
Webber, W. J.	Hanford	428	42 80
Wheelan, Albert P.	San Francisco	180	18 00
Whitney, W. B.	Healdsburg	208	20 80
Wilson, Lawrence H.	Winters	56	5 60
Wylie, G. W.	Dunnha	398	39 80
Young, C. C.	Berkeley	168	16 80

CONTINGENT EXPENSES.

Clio Lloyd	Santa Barbara	920	\$92 00
T. G. Walker	San Francisco	180	18 00
H. A. Harper	El Dorado	116	11 60
J. T. Stafford	Sacramento	2	20

CRONIN, Chairman.

The roll was called and the report and resolution adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Boban, Black, Bohnett, Butler, Cailan, Cattell, Coghlan, Cogswell, Collier, Collum, Costar, Cronin, Cullen, Dean, Drew, Feeley, Flavelle, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hammon, Hanlon, Hawk, Hewitt, Hinkle, Irwin, Johnson of Sacramento, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Kehoe, Leeds, Lightner, Macauley, Maher, McClellan, McManus, Melrose, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perine, Polsley, Preston, Pugh, Pulcifer, Rech, Rutherford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Wheelan, Wilson, Willie, Young, and Mr. Speaker—72

NOES—None.

ON CONSTITUTIONAL AMENDMENTS, WAYS AND MEANS, AND MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, September 7, 1910.

MR. SPEAKER: Your joint Committee on Constitutional Amendments, Ways and Means, and Municipal Corporations, to whom was referred Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California amending Section 22 of Article IV, relating to how money may be appropriated and drawn from the state treasury.

Also: Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, authorizing the city and county of San Francisco to amend its charter in aid of Panama-Pacific International Exposition, and to that end amending Article XI of said Constitution by adding a new section thereto, to be known as Section 8a.

Have had the same under consideration, and respectfully report the same back with amendments and recommend that they be adopted as amended.

COGHLAN, Chairman Constitutional Amendments.

FEELLEY, Chairman Municipal Corporations.

BEARDSLEE, Chairman Ways and Means.

Constitutional amendments ordered on file for consideration.

RESOLUTION.

The following resolution was offered:

By Mr. Hawk:

Resolved, That the Legislature of the State of California hereby extend to the national organization of the Grand Army of the Republic a cordial invitation to hold its forty-fifth national encampment in the city of Los Angeles in the year 1911; that the State of California would be greatly honored by the acceptance of such invitation and by the presence within its borders of such an honorable and distinguished body of men; and be it further

Resolved, That the Clerk of the Assembly be instructed to transmit to the proper officials of the national organization of the Grand Army of the Republic a certified copy of this resolution.

Resolution read, and on motion adopted.

CONSIDERATION OF CONSTITUTIONAL AMENDMENTS.

The following were taken up for consideration:

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California amending Section 22 of Article IV, relating to how money may be appropriated and drawn from the state treasury.

During the consideration of the constitutional amendment, the following amendments were submitted by the committee:

AMENDMENT No. 1.

On line 47, page 2, strike out from the word "all" down to and including the word "existed," in line 49, page 2, and insert in lieu thereof the words "every kind

and character of property in the State of California not exempt from taxation, under the law, and subject to taxation."

Amendment adopted.

AMENDMENT No. 2.

Strike out from the word "provided," in line 65, page 3, to and including the word "Exposition," in line 69, page 3, and strike out the semicolon after the word "Exposition" in line 65, page 3.

Amendment adopted.

AMENDMENT No. 3.

Strike out the period after the word "fund" in line 84, page 3, and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT No. 4.

Insert after the word "fund", in line 86, page 3, "and provided further that".

Amendment adopted.

AMENDMENT No. 5.

Strike out the capital "T" in the word "The" where it first occurs in line 87, page 3, and insert in lieu thereof a small "t".

Amendment adopted.

AMENDMENT No. 6.

After the word "including," in line 88, page 3, insert the words "the times and."

Amendment adopted.

AMENDMENT No. 7.

After the word "which," in line 88, page 3, insert the words "and the terms and conditions upon which"

Amendment adopted.

AMENDMENT No. 8.

After the word "fund," in line 96, page 4, strike out the period and insert a comma.

Amendment adopted.

AMENDMENT No. 9.

After the word "fund," in line 96, page 4, insert "and to provide for the transfer to the General Fund of the State of California any portion of said Panama-Pacific International Exposition Fund unused."

Amendment adopted.

AMENDMENT No. 10.

Insert after amendment No. 9 as follows: "The commission herein created is authorized and directed to make such proper contracts with the Panama-Pacific International Exposition Company, a corporation organized under the laws of the State of California on the 22d day of March, 1910, as will entitle the State of California to share proportionately with the contributors to the said Panama-Pacific International Exposition in the profits arising from the holding of said exposition at the city and county of San Francisco."

During the consideration of the amendment, the following amendment to the amendment was submitted by Mr. Bohnett:

Strike out the word "profits" and insert in lieu thereof the word "returning"

Mr. Otis moved that the Assembly resolve itself into the Committee of the Whole, with the Speaker in the chair, for the purpose of considering the amendment.

IN THE COMMITTEE OF THE WHOLE.

Speaker Stanton in the chair.

Amendment considered.

During the consideration of the amendment, State Controller A. B. Nye addressed the committee.

Mr. Drew moved that the committee do now rise and report in favor of amending the amendment by striking out the words "profits arising" and inserting in lieu thereof the word "returns".

Motion carried.

IN ASSEMBLY.

Speaker Stanton in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, September 7, 1910.

GENTLEMEN: The Committee of the Whole have had under consideration amendment No. 10 to Assembly Constitutional Amendment No. 1, and do now report the same back, and recommend that the words "profits arising" be stricken out and the word "returns" inserted in lieu thereof.

STANTON, Chairman.

Mr. Otis moved the adoption of the report.

Motion carried.

The question being upon the amendment as amended, the question was put and amendment adopted.

AMENDMENT No. 11.

Amend the caption of Assembly Constitutional Amendment No. 1 by striking out the figure "1" and inserting in lieu thereof the figures "32".

Amendment adopted.

AMENDMENT No. 12.

Amend the title of Assembly Constitutional Amendment No. 1 by striking out the figure "1" in the title and insert in lieu thereof the figures "32".

Amendment adopted.

The following was submitted by Mr. Johnson of Sacramento:

Strike out the words "no compensation," in line 79, page 3, and insert in lieu thereof the words "their necessary traveling and other expenses and ten dollars per day for each day actually engaged in the business of said Commission."

Roll call was regularly demanded.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Beardslee, Callan, Cattell, Cogswell, Dean, Drew, Flint, Gibbons, Gillis, Greer, Griffiths, Hawk, Hayes, Irwin, Johnson of Sacramento, Johnson of San Diego, Johnston of Contra Costa, Julliard, Kehoe, Maher, Mott, Nelson, Odum, Otis, Polsley, Pulcifer, Sackett, Silver, Stuckenbruck, Telfer, Wagner, Webber, Whitney, Wilson, and Wolfe—35

NOES—Messrs. Barndollar, Beatty, Beban, Black, Bohnett, Butler, Coghlan, Collier, Collum, Costar, Cronin, Cullen, Flavell, Fleisher, Gerdes, Hammon, Hanlon, Hewitt, Hinkle, Hopkins, Johnson of Placer, Leeds, Lightner, Macauley, McTellan, McManus, Melrose, Moore, O'Neill, Perine, Preston, Pugh, Rech, Rutherford, Schmitt, Transue, Wheelan, Young, and Mr. Speaker—39.

By Mr. Beardslee:

Amend by inserting in line 86, on page 3, of printed bill, after the word "Pacific" the word "International".

Amendment adopted.

Assembly constitutional amendment ordered to reprint and engrossment.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, authorizing the city and county of San Francisco to amend its charter in aid of Panama-Pacific International Exposition, and to that end amending Article XI of said Constitution by adding a new section thereto, to be known as Section 8a

During the consideration of the constitutional amendment, the following amendments were submitted by the committee:

AMENDMENT No. 1.

After the word "Legislature," on line 1, page 1 of said bill, insert the following words: "of the State of California,".

Amendment adopted.

AMENDMENT No. 2.

By adding after line 84, page 4, the following paragraph: "The disbursement of all funds obtained from said bonds shall be accounted for by said Panama-Pacific International Exposition Company by an itemized statement thereof, to be filed with the auditor of the city and county of San Francisco."

Amendment adopted.

AMENDMENT No. 3.

Amend the caption of Assembly Constitutional Amendment No. 2 by striking out the figure "2" and inserting in lieu thereof the figures "33".

Amendment adopted.

AMENDMENT No. 4

Amend the title of Assembly Constitutional Amendment No. 2 by striking out the figure "2" in the title and insert in lieu thereof the figures "33"

Amendment adopted, and Assembly constitutional amendment ordered to reprint and engrossment.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, September 7, 1910.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following Senate Bill No. 1 and Senate Bill No. 2, as cases of urgency.

LEWIS A. HILBORN, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

Bills read first time and referred to Committee on Ways and Means
Also:

SENATE CHAMBER, SACRAMENTO, September 7, 1910

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California amending Section 22 of Article IV, relating to how money may be appropriated and drawn from the state treasury.

Also: Senate Constitutional Amendment No. 53—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, authorizing the city and county of San Francisco to amend its charter in aid of Panama-Pacific International Exposition, and to that end amending Article XI of said Constitution by adding a new section thereto, to be known as Section 8a.

LEWIS A. HILBORN, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

Senate constitutional amendments referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At twelve o'clock and thirty minutes P. M., in accordance with motion previously adopted, the Speaker declared the Assembly adjourned until ten o'clock A. M. of Thursday, September 8, 1910.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, September 8, 1910. }

At ten o'clock A. M., pursuant to adjournment, the Assembly was called to order.

Hon. P. A. Stanton, Speaker of the Assembly, in the chair.

The roll was called, and the following members answered to their names:

Messrs. Barndollar, Baxter, Beardslee, Beatty, Behau, Black, Bohnett, Butler, Callan, Cattell, Coghlan, Coaswell, Collier, Collum, Costar, Cronin, Dean, Drew, Feeley, Flavelle, Fleisher, Flint, Gerdes, Gibbons, Gilis, Greer, Griffiths, Hammon, Hanlon, Hans, Hawk, Hayes, Hewitt, Hinkle, Holmquist, Hopkins, Irwin, Johnson of Sacramento, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Kehoe, Leeds, Lightner, Macauley, Maher, McClellan, McManus, Melrose, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perine, Polsley, Preston, Pulcifer, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Wheelan, Whitney, Wyllie, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by Rev. L. S. Jones of Sacramento

READING OF JOURNAL.

During the reading of the Journal, on motion of Mr. Pulcifer, its further reading was dispensed with.

RESOLUTIONS (OUT OF ORDER).

The following resolutions were offered (unanimous consent having been obtained for their reception):

By Mr. Johnson of Sacramento:

Resolved, That we heartily endorse the administration of President William H. Taft. He has redeemed every promise made by him during the presidential campaign of 1908, and has, by his wise counsels and courageous advocacy of proper measures, succeeded in placing many meritorious laws upon the statutes of our nation. He deserves the thanks and has earned the confidence of every citizen of the United States.

Resolution read and adopted.

Also:

Resolved, That we approve of the administration of Governor James N. Gillett. Under his leadership our State has maintained its high standard as a commonwealth, wherein prosperity and happiness walk hand in hand. By his unremitting efforts in the line of economy, seconded by other Republican State officers, the State tax

for the ensuing fiscal year is the lowest ever known in the history of California Governor Gillett retires to private life with the knowledge that he has performed every duty cast upon him to the satisfaction of the people of all parties

Resolution read and adopted.

By Mr. Mott:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby authorized to receipt to the Controller for all warrants for payments to members, officers, and attachés of the Assembly.

Resolution read and adopted.

By Mr. Johnston:

Be it resolved by the Assembly of the State of California, That we extend to the State Agricultural Society our sincere thanks for the excellent entertainment afforded the Assembly on Wednesday afternoon, September 7, 1910

Resolution read and adopted.

COMMUNICATION.

The following communication was filed and ordered printed in the Journal:

SAN FRANCISCO, September 7, 1910

HON. PHIL STANTON, *Speaker of the Assembly, Sacramento, Cal.*

Confirming report of secretary of the Democratic State Convention, the following resolution, introduced by Theodore A. Bell, was unanimously adopted:

We recommend that the Legislature take the necessary steps to submit to the qualified electors of California the question of providing a special tax to raise the sum of five million dollars to aid the proposed Panama-Pacific Exposition and permitting the city and county of San Francisco to issue bonds in the same amount for that purpose.

R. H. DEWITT,

Chairman Democratic State Committee.

CONSIDERATION OF CONSTITUTIONAL AMENDMENTS.

The following were taken up for consideration:

Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, authorizing the city and county of San Francisco to amend its charter in aid of Panama-Pacific International Exposition, and to that end amending Article XI of said Constitution by adding a new section thereto, to be known as Section 8a.

The question being upon the adoption of the constitutional amendment, the roll was called, and the constitutional amendment adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Boban, Black, Bohnett, Butler, Callan, Cattell, Coghlan, Cogswell, Collier, Collum, Costar, Cronin, Cullen, Dean, Drew, Freley, Flavell, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hammon, Hanlon, Hans, Hawk, Hayes, Hinkle, Hopkins, Irwin, Johnson of Sacramento, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Juillard, Kehoe, Leeds, Lightner, Macanley, Maher, McClellan, McManus, Melrose, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perine, Preston, Pugh, Puleifer, Reeh, Rutherford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Wheelan, Whitney, Wilson, Wyllie, Young, and Mr. Speaker—75

NOES—None.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 33.

A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, authorizing the city and county of San Francisco to amend its charter in aid of Panama-Pacific International Exposition, and to that end amending Article XI of said Constitution by adding a new section thereto, to be known as Section 8a.

The Legislature of the State of California at its extraordinary session of the thirty-eighth session of the Legislature commencing on the sixth day of September,

1910, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that Article XI of the Constitution of the State of California be amended by the addition of a new section to be known as Section 8a, said new section to read as follows:

Section 8a. The charter of the city and county of San Francisco may be amended, in addition to the method and the times provided in Section 8 of Article XI of the Constitution, in the following particulars:

(a) Authorizing the city and county of San Francisco, a municipal corporation, by its legislative authority, to incur a bonded indebtedness in an amount not exceeding five million dollars, and to issue municipal bonds therefor, and to grant and turn over to the Panama-Pacific International Exposition Company (a corporation organized under the laws of the State of California March 22, 1910) the proceeds of said bonds the same to be used and disbursed by said exposition company for the purposes of an exposition to be held in the city and county of San Francisco to celebrate the completion of the Panama Canal, said bonds, so issued, to be of such form and to be redeemable, registered and converted in such manner and amounts, and at such times not later than forty years from the date of their issue, as such legislative authority shall determine; the interest on said bonds to not exceed five per centum per annum, and said bonds to be exempt from all taxes for State and municipal purposes, and to be sold for not less than par at such times and places, and in such manner as shall be determined by said legislative authority, the proceeds of said bonds, when sold, to be payable immediately by the treasurer of said city and county to the treasurer of said Panama-Pacific International Exposition Company, upon the demand of said treasurer of said exposition company, without the necessity of the approval of such demand by other authority, the same to be used and disbursed by said Panama-Pacific International Exposition Company for the purposes of such exposition, under the direction and control of such exposition company;

(b) Providing that any bonded indebtedness incurred for the purposes aforesaid shall be exclusive of the bonded indebtedness of the said city and county limited by Section 9 of Article XII of said charter.

(c) Granting to said Panama-Pacific International Exposition Company the exclusive possession and use, together with the management and control, of that portion of Golden Gate Park in the city and county of San Francisco westerly from Twentieth avenue, as extended, for such exposition purposes, such possession and use, also management and control, to terminate not later than one year after the closing of such exposition;

(d) Granting to said Panama-Pacific International Exposition Company the exclusive possession and use, together with the management and control, for such exposition purposes, of any lands held by the board of education of the city and county of San Francisco, and by the city and county of San Francisco, not in actual use, such possession and use also management and control, to terminate not later than one year after the closing of such exposition.

(e) Authorizing said Panama-Pacific International Exposition Company to temporarily close streets in the city and county of San Francisco westerly from Twentieth avenue, for such exposition purposes, and to have the exclusive possession and use, together with the management and control, of said streets for such exposition purposes such possession and use, also management and control of said streets, to terminate not later than one year after the closing of such exposition.

Proposals to amend the charter of the city and county of San Francisco in the foregoing particulars may be submitted by the legislative authority of said city and county to the electors of said city and county, at any general or special election (and a special election may be called therefor) held in said city and county, after the publication of such proposals in a newspaper of general circulation in said city and county, for such time as shall be determined by said legislative authority. Upon the ratification of any such proposed amendment by a majority of the electors of said city and county voting at such election on such proposed amendment, said proposed amendment receiving such majority vote shall become operative immediately as an amendment to said charter, without the necessity of approval thereof by the Legislature.

Any act of the legislative authority of the city and county of San Francisco, in submitting to the electors of said city and county, at any general or special election, proposals to amend the charter of said city and county in the foregoing particulars, including any notice by publication or otherwise of such proposals, and of such election, and the holding of such election, in accordance with the provisions hereof, before the adoption of this amendment, are hereby validated in all respects as if performed subsequent to the adoption of this amendment. The disbursement of all funds obtained from said bonds shall be accounted for by said Panama-Pacific International Exposition Company by an itemized statement thereof to be filed with the auditor of the city and county of San Francisco.

Constitutional amendment ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, September 8, 1910.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1—An Act making an appropriation for the contingent expenses of the Senate for the thirty-ninth session of the Legislature.

Also: Senate Bill No. 2—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the thirty-eighth Legislature, and directing the State Controller and State Treasurer to make such transfer.

Have had the same under consideration, and respectfully report the same back with the recommendation that they do pass.

BEARDSLEE, Chairman.

The above reported bills ordered on file for second reading

CONSIDERATION OF SENATE BILLS.

Senate Bill No. 1—An Act making an appropriation for the contingent expenses of the Senate for the thirty-ninth session of the Legislature.

POINT OF ORDER.

Mr. Johnson of Sacramento rose to the following point of order: That the bill covered matter not dealt with by the Governor's proclamation.

POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken

REFERENCE OF BILL.

The Speaker ordered Senate Bill No. 1 referred to the Committee on Judiciary with instructions to report upon the bill as soon as possible.

Senate Bill No. 2—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the thirty-eighth Legislature, and directing the State Controller and State Treasurer to make such transfer.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Beardslee:

Resolved, That Senate Bill No. 2 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barndollar, Beardslee, Beatty, Behan, Black, Bohnett, Butler, Callan, Cattell, Cogswell, Collier, Collum, Costar, Cronin, Dean, Drew, Feeley, Flavelle, Fleisher, Flint, Gerdes, Gibbons, Gillis, Griffiths, Hammon, Harlow, Hans, Hayes, Hewitt, Hinkle, Hopkins, Johnson of Sacramento, Johnson of San Diego, Johnson of Placer, Juilliard, Kehoe, Leeds, Macauley, Maher, McClellan, McManus, Melrose, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perine, Polsley, Preston, Pulcifer, Rech, Rutherford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Whelan, Whitney, Wilson, Wyllie, Young, and Mr. Speaker—67.

NOES—None.

Mr. Beardslee moved that the Assembly resolve itself into the Committee of the Whole, with the Speaker in the chair, for the purpose of considering the bill.

Motion carried.

• IN COMMITTEE OF THE WHOLE.

Hon. P. A. Stanton, Speaker of the Assembly, in the chair.

Senate Bill No. 2 considered.

During the second reading of the bill the following amendment was submitted by Mr. Johnson of Sacramento:

Insert after the word "thirty-eight," in line 4 of section 1 of the printed bill, the words "session of the".

Roll call being regularly demanded.

The roll was called, and amendment lost by the following vote:

AYES—Messrs. Barndollar, Beardslee, Butler, Callan, Collum, Cronin, Drew, Flint, Gerdes, Greer, Hammon, Hanlon, Hans, Hawk, Irwin, Johnson of Sacramento, Johnston of Placer, Johnston of Contra Costa, Melrose, Moore, Mott, Otis, O'Neill, Polsley, Pulcifer, Rech, Sackett, Silver, Stuckenbruck, Wagner, Whitney, Wilson, and Young—33.

NOES—Messrs. Baxter, Beatty, Behan, Black, Bohnett, Cattell, Cogswell, Collier, Costar, Cullen, Dean, Flavell, Fleisher, Gillis, Griffiths, Hayes, Hewitt, Hinkle, Hopkins, Johnson of San Diego, Juillard, Kehoe, Leeds, Lightner, Macauley, Maher, McManus, Nelson, Perine, Preston, Rutherford, Schmitt, Telfer, Webber, Wheelan, Wyllie, and Mr. Speaker—37.

Mr. Beardslee moved that the committee rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Hon. P. A. Stanton in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The following report of the Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, September 8, 1910.

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No. 2—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the thirty-eighth Legislature and directing the State Controller and State Treasurer to make such transfer—and do now report same back, and recommend that it do pass

STANTON, Chairman.

Bill read second time and ordered to third reading.

The question being upon the final passage of the bill.

Bill read third time.

The roll was called, and Senate Bill No. 2 passed by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Behan, Black, Bohnett, Butler, Callan, Cattell, Cogswell, Collier, Collum, Costar, Cronin, Dean, Drew, Feeley, Flavell, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hammon, Hanlon, Hans, Hawk, Hayes, Hewitt, Hinkle, Hopkins, Irwin, Johnson of San Diego, Johnson of Placer, Juillard, Kehoe, Leeds, Lightner, Macauley, Maher, McClellan, McManus, Melrose, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perine, Polsley, Preston, Pugh, Pulcifer, Rutherford, Sackett, Schmitt, Silver, Stuckenbruck, Wagner, Webber, Wheelan, Wilson, Wyllie, Young, and Mr. Speaker—69.

NOES—Messrs. Johnson of Sacramento, Johnston of Contra Costa, Rech, Telfer, and Whitney—5.

Title read and approved, and bill ordered transmitted to the Senate.

COMMUNICATION.

The following communication was read and ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, September 8 1910

Hons. George Hans, Thomas H. Silver, Frank Otis, James T. Feeley, John W. Mott, Harry W. Pulcifer, and C. C. Young, Alameda County Representatives in Assembly, Sacramento, Cal

SIRS. The Committee on Progress and Prosperity of the Oakland Chamber of Commerce, in company with representatives of every commercial and industrial institution from Alameda County, have journeyed to Sacramento by special train that they may present to you, and through you to the legislative body of which you are our representatives, the indorsement of our members and the community from which we come, in connection with the Panama-Pacific Exposition which it is proposed shall be held in San Francisco in 1915.

We of California are one people, in this State our interests are commingled, what advances one section benefits us all, we are broad enough and big enough to stand as a unit for the progress, the prosperity and the benefit which must necessarily redound to the advantage of every citizen of the State.

We, therefore, ask that you fittingly place before the legislative body to which you have been elected, the fact that in the promotion of the Panama-Pacific Exposition, which it is proposed to hold in San Francisco in 1915, the people of the bay cities are as one man.

Not alone will one city or one town benefit thereby—the State will reap its reward through the enterprise, the pluck and bravery of the most indomitable city of the universe—San Francisco, and it is to this end that we ask you to support this great undertaking knowing that the people of this magnificent State are with you heart and soul.

COMMITTEE ON PROGRESS AND PROSPERITY,
OAKLAND CHAMBER OF COMMERCE.

By C. F. GORMAN, Chairman,
And one hundred and twenty-five others

RECESS.

At twelve o'clock and ten minutes P. M., on motion of Mr. Transue, the Assembly was declared at recess for ten minutes.

RECONVENED.

At twelve o'clock and twenty minutes P. M., the Assembly reconvened.

Speaker P. A. Stanton in the Chair

RECESS.

On motion of Mr. Johnson of Sacramento, the Assembly was declared at recess until two o'clock P. M. of this day.

RECONVENED.

At two o'clock P. M., the Assembly reconvened.

Speaker P. A. Stanton in the chair.

COMMITTEE GRANTED LEAVE OF ABSENCE.

Upon the request of Mr. Beardslee, the Ways and Means Committee was granted leave of absence for the purpose of considering the time of adjournment *sine die*.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONSTITUTIONAL AMENDMENTS, WAYS AND MEANS, AND MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, September 8, 1910.

MR. SPEAKER: Your joint Committee on Constitutional Amendments, Ways and Means, and Municipal Corporations, to whom was referred Senate Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California amending Section 22 of Article IV, relating to how money may be appropriated and drawn from the state treasury—have had the same under consideration, and respectfully report the same back and recommend that it be adopted as amended.

COGHLAN, Chairman Constitutional Amendments
BEARDSLEE, Chairman Ways and Means
FEELEY, Chairman Municipal Corporations.

MINORITY REPORT.

SACRAMENTO, September 8, 1910.

MR. SPEAKER: The minority of your Committee on Ways and Means having had under consideration Senate Constitutional Amendment No. 52, respectfully report the same back, and recommend that the same be not adopted.

GIBBONS

Bill ordered on file for second reading.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT.

The above Senate constitutional amendment was taken up for consideration.

During the consideration of the constitutional amendment the following amendment was submitted by the committee.

Provided, however, that for the purpose of raising five million dollars (\$5,000,000), to be used in establishing, maintaining, and supporting in the city and county of San Francisco, State of California, an exposition in commemoration of the completion of the Panama canal, to be known as the Panama-Pacific International Exposition, the State Board of Equalization shall, for the fiscal year beginning July 1, 1911, and for each fiscal year thereafter, to and including the fiscal year beginning July 1, 1914, fix, establish, and levy such an *ad valorem* rate of taxation, as when levied upon all the taxable property in the State, after making due allowance for delinquency, shall produce for each of such fiscal years a sum of one million two hundred and fifty thousand dollars (\$1,250,000). The said taxes shall be levied, assessed, and collected upon every kind and character of property in the State of California not exempt from taxation under the law, and subject to taxation on the 1st day of July, 1910, and in the same manner, and by the same method, as other State taxes were levied, assessed, and collected under the law, as the same existed on the 1st day of July, 1910. The State Board of Equalization shall each year, at the time it determines the amount of revenue required for other State purposes, determine, fix, and include the rate of tax necessary to raise the revenue herein provided for.

There is hereby created in the state treasury a fund to be known as the Panama-Pacific International Exposition Fund and all moneys collected pursuant to this provision, after deducting the proportionate share of the expense for the collection of the same, shall be paid into the state treasury, and credited to such fund. All moneys so paid into such fund are hereby appropriated, without reference to fiscal years, for the use, establishment, maintenance, and support of said Panama-Pacific International Exposition. No tax, license fee, or charge of any kind or character shall ever be levied, or assessed, or charged against any property of said Panama-Pacific International Exposition, or against any property used as exhibit therein while being used or exhibited in connection therewith.

There is hereby created a commission to be known as the Panama-Pacific International Exposition Commission of the State of California, which shall consist of the Governor of said State and four other members to be appointed by the Governor, by and with the advice and consent of the Senate of said State. The Governor shall have the power to fill all vacancies occurring at any time in said commission. The members of said commission shall receive no compensation and shall hold office until such exposition shall have been closed and its affairs settled. Said four members of said commission shall be selected from different sections of the State, and the appointment thereof shall be made by the Governor of the State during the month of February, 1911. The commission hereby created shall have the exclusive charge and control of all moneys paid into the Panama-Pacific International Exposition Fund, and *provided further*, that the Legislature shall pass all laws necessary to carry out the provisions of this act, including the times and the manner in which, and the terms and conditions upon which money shall be drawn from the state

treasury by said commission; where contracts and vouchers shall be filed, to whom, and how often, reports shall be made; what disposition shall be made of any sum left unexpended or received from the sale of any property or buildings purchased or constructed by said commission for the use of said exposition, or of any disposition of any building or improvement constructed by said commission out of said fund, and to provide for the transfer to the General Fund of the State of California of any portion of said Panama-Pacific International Exposition Fund unused.

The commission herein created is authorized and directed to make such proper contracts with the Panama-Pacific International Exposition Company a corporation organized under the laws of the State of California on the 22d day of March, 1910, as will entitle the State of California to share proportionately with the contributors to the said Panama-Pacific International Exposition in the returns from the holding of said exposition at the city and county of San Francisco.

Amendment adopted.

Senate Constitutional Amendment No 52 ordered to reprint, and on file for adoption.

MOTION.

Mr. Rutherford moved that a committee of three be appointed to wait upon the Governor and invite him to address the Assembly.

Motion carried.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above motion, the Speaker appointed the following as such committee: Assemblymen Rutherford, Johnson of Sacramento, and Juilliard.

RECESS.

At two o'clock and fifty minutes P. M., the Assembly was declared at recess for ten minutes.

RECONVENED.

At three o'clock P. M. the Assembly reconvened
Speaker P. A. Stanton in the chair.

GOVERNOR AT THE BAR OF THE ASSEMBLY.

The committee to wait upon the Governor appeared before the bar of the Assembly and stated that the Governor was with them, and ready to address the Assembly.

The Governor was invited to the Speaker's chair and addressed the Assembly as follows:

Speaker Stanton, Members of the Assembly and Senate:

This is an honor which I did not expect, and I can not tell you how greatly I appreciate the resolution which you have passed, coming at the close of my administration. It is true that the State has been quite prosperous during my administration. I believe that we have advanced our institutions and made them better. I am sure that all those charged with the duties of conducting the institutions have been careful in the administration of their affairs, in such a businesslike and such an economic way that the taxes imposed upon our people have not been burdensome. But I have not been alone responsible for whatever of good could have been attached to the administration just closed. The administration has been a Republican administration. I have had with me the best wishes of the Republican party. I had, I believe, the confidence, support, and loyalty of the Democratic party, who are willing to help any one trying to do right. I appreciate the great support this legislative body has given to my administration. I complimented you when you adjourned two years ago for the splendid laws you passed, and as I look back now on your labors of the last two sessions, of the good legislation which was enacted, of the earnest and honest manner in which you attempted to do your duty and did discharge it. I feel it is one of the most pleasant things I have to think of after I retire into private life the fact that my association has been with men who had always at heart the interest of the State of California, as it appealed to all the people and not to a few. I believe the administration just closed has been an administration for the best interests of the people of this State, not alone the Governor's office, but every office in the State. I believe the Secretary of State's

office, the office of Superintendent of Public Instruction, the Treasurer's office and Controller's office, have been administered well and to the interest of the people. A splendid recommendation coming from the hands of the people a few days ago was that these officers who four years ago were nominated by the convention in Santa Cruz were all endorsed excepting one man. That speaks well for their standing and the confidence the people have in them. There is a great deal of work yet to do, many things yet before our State. We are practically a young State in the development of our resources, and the session that meets next January will find many things to accomplish. And it is pleasant to know at this time that the Legislature just going out will probably place before the people a constitutional amendment which will be the beginning of one of the greatest efforts on the part of our people to attract the attention of the world to California, and to bring them here in our valleys, along our coast, and in our cities, adding to our wealth and population, and bring us up further still as a great State of this Union. [Applause.] Again I wish to thank you, gentlemen, for this kind resolution. There is nothing I will carry with me out of public life into private life which I will esteem more than the kind expressions from this body. My relations with you have been friendly, they will part friendly. I appreciate all you have done to help me in the past, I thank you for the great work you have done for the State, and I hope your future efforts will be equal to those which have gone by. I thank you. [Applause.]

SENATE MESSAGE.

The following message from the Senate was received and read:

SENATE CHAMBER, SACRAMENTO, September 8, 1910.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State of California, authorizing the city and county of San Francisco to amend its charter in aid of Panama-Pacific International Exposition, and to that end amending Article XI of said Constitution by adding a new section thereto, to be known as Section 8a

LEWIS A. HILBORN, Secretary.
By FRANK MATTISON, Assistant Secretary

Assembly constitutional amendment ordered to enrollment.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT.

The following was taken up for consideration:

Senate Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California amending Section 22 of Article IV, relating to how money may be appropriated and drawn from the state treasury.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 52 finally adopted by the following vote:

AYES—Messrs. Barndollar, Beardslee, Beatty, Behan, Black, Bohnett, Butler, Callan, Cattell, Coghlan, Cogswell, Collum, Costar, Cronin, Cullen, Dein, Drew, Feeley, Flavell, Fleisher, Flint, Gordes, Gillis, Greer, Griffiths, Hammon, Hanlon, Hans, Hawk, Hayes, Hewitt, Hinkle, Hopkins, Irwin, Johnson of Sacramento, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Juilliard, Kehoe, Leeds, Lightner, Macaulay, Maber, McManus, Melrose, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perme, Polsley, Preston, Pugh, Pulcifer, Rech, Ruthertford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Whelan, Whitney, Wyllie, Young, and Mr. Speaker—72.

NOES—Mr. Gibbons—1.

Senate constitutional amendment ordered transmitted to the Senate

SENATE CONSTITUTIONAL AMENDMENT No. 52.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California amending Section 22 of Article IV, relating to how money may be appropriated and drawn from the state treasury.

The Legislature of the State of California at its extraordinary session of the thirty-eighth session, commencing on the sixth day of September, 1910, two thirds

of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby propose that Section 22 of Article IV of the Constitution of the State of California be amended to read as follows:

"Section 22. No money shall be drawn from the treasury but in consequence of appropriations made by law, and upon warrants duly drawn thereon by the controller; and no money shall ever be appropriated or drawn from the state treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a state institution, nor shall any grant or donation of property ever be made thereto by the State; *provided*, that notwithstanding anything contained in this or any other section of this constitution, the legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half orphans, or abandoned children, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions; *provided, further*, that the state shall have at any time the right to inquire into the management of such institution; *provided, further*, that whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half orphans, or abandoned children, or aged persons in indigent circumstances, such county, city and county, city, or town, shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church or other control. An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the Legislature."

Provided, however, that for the purpose of raising five million dollars (\$5,000,000), to be used in establishing, maintaining, and supporting in the city and county of San Francisco, State of California, an exposition in commemoration of the completion of the Panama Canal, to be known as the Panama-Pacific International Exposition, the State Board of Equalization shall, for the fiscal year beginning July 1, 1911, and for each fiscal year thereafter, to and including the fiscal year beginning July 1, 1914, fix, establish, and levy such an *ad valorem* rate of taxation, as when levied upon all the taxable property in the State, after making due allowance for delinquency, shall produce for each of such fiscal years, a sum of one million two hundred and fifty thousand dollars (\$1,250,000). The said taxes shall be levied, assessed, and collected upon every kind and character of property in the State of California not exempt from taxation under the law, and subject to taxation on the 1st day of July, 1910, and in the same manner, and by the same method, as other state taxes were levied, assessed, and collected under the law, as the same existed on the 1st day of July, 1910. The State Board of Equalization shall each year, at the time it determines the amount of revenue required for other state purposes, determine, fix, and include the rate of tax necessary to raise the revenue herein provided for.

There is hereby created in the state treasury a fund to be known as the Panama-Pacific International Exposition Fund, and all moneys collected pursuant to this provision, after deducting the proportionate share of the expense for the collection of the same, shall be paid into the state treasury, and credited to such fund. All moneys so paid into such fund are hereby appropriated, without reference to fiscal years, for the use, establishment, maintenance, and support of said Panama-Pacific International Exposition. No tax, license fee, or charge of any kind or character shall ever be levied or assessed or charged against any property of said Panama-Pacific International Exposition, or against any property used as exhibit therein, while being used or exhibited in connection therewith.

There is hereby created a commission to be known as the Panama-Pacific International Exposition Commission of the State of California, which shall consist of the Governor of said State and four other members to be appointed by the Governor, by and with the advice and consent of the Senate of said State. The Governor shall have the power to fill all vacancies occurring at any time in said commission. The members of said commission shall receive no compensation and shall hold office until such exposition shall have been closed and its affairs settled. Said four members of said commission shall be selected from different sections of the State, and the appointment thereof shall be made by the Governor of the State during the month of February, 1911. The commission hereby created shall have the exclusive charge and control of all moneys paid into the Panama-Pacific International Exposition Fund; and *provided further*, that the Legislature shall pass all laws necessary to carry out the provisions of this Act, including the times and the manner in which, and the terms and conditions upon which money shall be drawn from the state treasury by said commission; where contracts and vouchers shall be filed, to whom, and how often, reports shall be made; what disposition shall be made of any sum left unexpended, or received from the sale of any property or buildings purchased or constructed by said commission for the use of said exposition, or of any disposition of any building or improvement constructed by said commission out of said fund, and to provide for the transfer to the General Fund of the State of California of any portion of said Panama-Pacific International Exposition Fund unused.

The commission herein created is authorized and directed to make such proper contracts with the Panama-Pacific International Exposition Company, a corporation organized under the laws of the State of California on the 22d day of March, 1910,

as will entitle the State of California to share proportionately with the contributors to the said Panama-Pacific International Exposition in the returns from the holding of said exposition at the city and county of San Francisco.

RESOLUTION.

The following resolution was offered:

By Mr. Beardslee:

ASSEMBLY CONCURRENT RESOLUTION No 1.

Resolved by the Assembly, the Senate concurring, That the houses of the Legislature of the State of California adjourn *sine die* at eight o'clock P. M. of Thursday, September 8, 1910.

Resolution read and referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES AND ACCOUNTS

ASSEMBLY CHAMBER, SACRAMENTO, September 8, 1910.

MR. SPEAKER: Your Committee on Contingent Expenses and Accounts, to whom was referred a resolution authorizing the payment of claims against the Assembly, have had the same under consideration, and respectfully recommend its adoption as amended.

Resolved, That the Controller be, and is hereby, authorized and directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same, for the sum of thirty-five and five one-hundredths dollars (\$35.05) in favor of J. T. Stafford, Sergeant-at-Arms of the Assembly, same being for the payment of the following claims:

Western Union Telegraph Company, telegrams-----	\$6 20
Pacific Telephone and Telegraph Company, rent, etc.-----	10 35
Kane & Trainor Ice Company, ice-----	6 00
Whiskey Hill Water Company, water-----	7 50
Ralph A. Sollars, rent machine-----	5 00

\$35 05

TELFER, Chairman.

The question being upon the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barnsdollar, Baxter, Beardslee, Beatty, Behan, Bohnett, Butler, Callan, Cattell, Coghlán, Collum, Costar, Cronin, Cullen, Dean, Fleisher, Flint, Gerdes, Gibbons, Hammon, Hanlon, Hans, Hawk, Hayes, Hewitt, Hinkle, Hopkins, Irwin, Johnson of Sacramento, Johnson of Placer, Johnston of Contra Costa, Kehoe, Leeds, Lightner, Macaulay, Maher, McManus, Melrose, Moore, Nelson, Otis, O'Neill, Perine, Polsley, Preston, Pugh, Pulcifer, Rutherford, Sackett, Schmitt, Silver, Stucklenbruck, Telfer, Webber, Wheelan, Whitney, Wilson, Wylie, and Mr. Speaker—59.

NOES—None

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, September 8, 1910.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Concurrent Resolution No. 1, have had the same under consideration, and respectfully report the same back by a majority report with the recommendation that the Legislature adjourn in conformity with the tenor of said resolution.

BEARDSLEE, Chairman.

The question being upon the adoption of the resolution.

Mr. Sackett moved that the resolution be amended as follows:

Strike out the words "eight o'clock P. M. of Thursday, September 8, 1910," and insert in lieu thereof the following: "twelve o'clock M. of Friday, September 9, 1910."

Amendment adopted.

Resolution as amended adopted, and ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 1.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California adjourn *sine die* at twelve o'clock M. of Friday, September 9, 1910.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, September 8, 1910.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Constitutional Amendment No. 33, and was presented to the Governor at four o'clock and fifty minutes P. M.

YOUNG, Chairman.

ANNOUNCEMENT.

The Speaker announced that in accordance with the law he appointed Assemblyman N. C. Coghlan a member of the committee to represent the affirmative vote on Assembly Constitutional Amendment No. 33; and that there being no vote against the adoption of the resolution, there could be no appointment to represent the negative vote.

SPEAKER PRO TEM. IN THE CHAIR.

At five o'clock and thirty minutes P. M., Speaker pro tem. Geo. M. Perine, in the chair.

APPOINTMENT DECLINED.

Mr. Coghlan declined the appointment, and moved that the Assembly request the Chair to appoint Speaker P. A. Stanton as such committee.

Motion carried.

Speaker pro tem Geo. M. Perine thereupon appointed Speaker P. A. Stanton as such committee.

ADJOURNMENT.

At five o'clock and forty minutes P. M., on motion of Mr. Johnson of Sacramento, the Speaker declared the Assembly adjourned until nine o'clock and thirty minutes A. M. of Friday, September 9, 1910.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, September 9, 1910. }

At nine o'clock and thirty minutes A. M., pursuant to adjournment, the Assembly was called to order.

Hon. P. A. Stanton, Speaker of the Assembly, in the chair.

The roll was called, and the following members answered to their names:

Messrs. Barndollar, Beardslee, Beatty, Bebau, Black, Bohnett, Butler, Callan, Cattell, Coghlan, Cogswell, Collum, Costar, Cronin, Cullen, Dean, Drew, Feeley, Flavell, Fleisher, Flit, Gerdes, Gibbons, Gillis, Greer, Hanlon, Hayes, Hewett, Hinkle, Hopkins, Irwin, Johnson of Sacramento, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Kehoe, Leeds, Macauley, Maher, McClellan, Melrose, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perine, Polsley, Pugh, Pulcifer, Rech, Rutherford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Wheelan, Whitney, Wilson, Wyllie, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by Rev. L. S. Jones of Sacramento.

READING OF JOURNAL.

During the reading of the Journal, on motion of Mr. Barndollar, its further reading was dispensed with.

APPROVAL OF JOURNALS.

Mr. Transue moved that the Journals of Tuesday, September 6, Wednesday, September 7, and Thursday, September 8, 1910, be approved as corrected by the Minute Clerk.

Motion carried.

RECESS.

On motion of Mr. Johnson of Sacramento, the Assembly was declared at recess until ten o'clock and forty-five minutes A. M., of this day.

REASSEMBLED.

At ten o'clock and forty-five minutes A. M., the Assembly reconvened.

Hon. P. A. Stanton, Speaker of the Assembly, in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, September 9, 1910.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Concurrent Resolution No. 1—Relative to adjournment of the two houses of the Legislature *sine die*.

Also: Concurred in Assembly amendments to Senate Constitutional Amendment No. 52.

LEWIS A. HILBORN, Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, September 9, 1910.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 1—Relative to the Panama Canal.

LEWIS A. HILBORN, Secretary.

CONSIDERATION OF SENATE JOINT RESOLUTION.

Senate Joint Resolution No. 1 was taken up for consideration.

Joint resolution read, on motion adopted, and ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 1.

Relative to the action of Congress in naming the place for the holding of the exposition to celebrate the completion of the Panama Canal.

WHEREAS, The completion of the Panama Canal will mark the end of the greatest engineering feat of modern times, whereby the waters of the Atlantic are wedded to the waters of the Pacific, the trade and commerce of the Occident is given equal access to the trade and commerce of the Orient, and they are both enabled to share the products of each other; and

WHEREAS, It brings the Pacific coast of the United States into closer union with the Atlantic coast, and adds another link to the bonds that bind the States of our Nation into inseparable union, and opens up new fields for the employment of the industry, skill, capital, and labor of the people of our country; and

WHEREAS, It is eminently fit and proper that the completion of such a gigantic work as that performed by American engineers and American capital should be fitly commemorated; and

WHEREAS, The city of San Francisco, the metropolis of the Pacific coast of the United States, is the only and proper place for such an exposition, because of its geographical location, and because of the fact that it faces the countries that are desired to be brought into union with the Eastern world; and

WHEREAS, The State of California is willing to, and will appropriate the sum of five million dollars to assist in defraying the expenses of the celebration; and the city of San Francisco has, through the liberality, unexampled, of its citizens, contributed the sum of seven million five hundred thousand dollars, and will by vote raise a further sum of five million dollars by tax upon the city, making in all the munificent sum of seventeen million five hundred thousand dollars; and

WHEREAS, The efforts of the people in that direction should be recognized and rewarded by those in authority; therefore, be it

Resolved, That the Legislature of the State of California earnestly asks the Congress of the United States to pass the resolution introduced by Hon Julius Kahn, member of Congress from California, fixing and making San Francisco as the proper and appropriate place for the holding of said celebration and exposition.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, September 9, 1910.

MR. SPEAKER: Your Committee on Contingent Expenses and Accounts, to whom was referred a resolution authorizing the payment of claims against the Assembly, have had the same under consideration, and respectfully recommend its adoption.

Resolved, That the Controller be, and is hereby authorized and directed, to draw his warrant on the contingent fund of the Assembly, and the State Treasurer is hereby directed to pay the same, for the sum of four and fifty one-hundredths dollars (\$4.50) in favor of J. T. Stafford, Sergeant-at-Arms of the Assembly, same being for the payment of the following claims:

Kane & Trainor Ice Company, ice.....	\$2 00
Whiskey Hill Water Company, water.....	2 50

TELFER, Chairman.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barndollar, Beardslee, Beatty, Behan, Bohnett, Cattell, Cogswell, Collier, Collum, Costar, Cronin, Cullen, Dean, Drew, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hanlon, Hawk, Hayes, Hewitt, Hinkle, Hopkins, Johnson of Sacramento, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Leeds, Maher, McClellan, Melrose, Moore, Odom, O'Neill, Pulcifer, Rech, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Wheelan, Whitney, Wyllie, Young, and Mr. Speaker—53.

NOES—None.

EXPLANATION OF VOTE.

The following was sent to the desk and ordered printed in the Journal:

By Mr. Gibbons:

MR. SPEAKER: In view of the fact that my vote upon the most important piece of legislation which has come before the thirty-eighth session of this body was diametrically opposed to the votes of all other members of the body, I feel that I should offer some explanation of my vote upon the measure. My vote was cast, Mr. Speaker, with the sole view of carrying out the wishes, and what I believe to be the best interests, of the people of my own county. I recognize the fact that other portions of the State are in a different situation than is my county, and a measure which would be most beneficial to the people of the State of California at large might not meet with the approval of the people of a particular locality. After listening to the discussion of the two constitutional amendments which have been proposed by this extraordinary session of the Legislature, both in committee and here upon the floor, I have become very much more favorably inclined toward the idea, though not thoroughly convinced, and it is highly probable that further information on the subject may convince myself and my constituents of the benefits to be derived from the project embodied in the legislation in question.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Griffiths:

Resolved, That a committee of three be appointed by the Speaker to wait upon His Excellency James N. Gillett, and notify him that the Assembly has concluded its labors under the call for an extraordinary session of the Legislature, and that this body awaits his further pleasure.

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above motion the Speaker appointed Assemblymen Griffiths, Hinkle, and Wagner as such committee.

By Mr. Greer:

Resolved, That a committee of three be appointed by the Speaker to inform the Senate that the Assembly has concluded its labors, and that we await the further pleasure of the Senate.

Resolution read and adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution the Speaker appointed Assemblymen Greer, Fleisher, and Barndollar as such committee.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, September 9, 1910.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following correctly enrolled:

Assembly Concurrent Resolution No. 1—Relative to adjournment *sine die*.

YOUNG, Chairman.

RESOLUTION.

The following resolution was offered:

By Mr. Transue:

WHEREAS, It will be necessary for our Minute Clerk, H. A. Harper, and our Journal Clerk, Wm. Nye, to remain in Sacramento for several days after the close of this session to revise and complete our minutes and our Journal; therefore, be it

Resolved, That the Controller be, and is hereby, authorized and directed to draw his warrant on the Contingent Fund of this Assembly in the sum of twenty-five dollars (\$25) in favor of said H. A. Harper and also in the sum of twenty-five dollars (\$25) in favor of said Wm. Nye, in full payment for such services, and the State Treasurer is hereby directed to pay the same.

The question being upon the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barndollar, Beardslee, Beatty, Behan, Bohnett, Callan, Cattell, Coghlan, Cogswell, Collum, Costar, Cronin, Cullen, Dean, Drew, Feeley, Fleisher, Flhut, Gerdes, Gillis, Greer, Griffiths, Hammon, Hanlon, Hewitt, Hinkle, Hopkins, Johnson of Sacramento, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Leeds, Lightner, Macauley, Melrose, Moore, Mott, Nelson, Odom, O'Neill, Perine, Polsley, Pugh, Pulcifer, Rech, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Whitney, Young, and Mr. Speaker—56.

NOES—None.

COMMITTEE FROM THE SENATE.

A committee from the Senate, comprising Senators Welch, Cutten, and Kennedy, appeared before the bar of the Assembly and reported that the Senate was ready to adjourn, and asked if the Assembly had any further communication to make to the Senate.

The Speaker stated that the Assembly would communicate with the Senate through its committee.

REPORT OF SELECT COMMITTEE.

The committee to wait upon the Senate appeared before the bar of the House, and reported that the instructions of the Assembly had been carried out, and that the Senate would communicate its wishes through a committee from that body.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon the Governor, relative to adjournment, appeared before the bar of the House, and reported that they had carried out the instructions of the Assembly, and that the Governor had no further communication to make to the Assembly, and wished to congratulate the Assembly upon the speedy and economic way in which the Assembly had concluded its labors.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Leeds:

Resolved, That the thanks of the members of this Assembly be and they are hereby extended to the Hon. P. A. Stanton, Speaker of the Assembly, for the signal courtesy, ability, and impartiality with which he has presided over its deliberations during this extraordinary session of the Legislature

Resolution read and adopted.

By Mr. Hanlon:

Resolved, That the Speaker appoint a committee of five members of the Assembly for the purpose of formulating plans and details for a permanent association and reunion of the members of the Assembly of the thirty-eighth session of the Legislature of the State of California.

Resolution read, and adopted.

APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, the Speaker announced the following as such committee: Assemblymen Griffiths, Hanlon, Johnson of Sacramento, Preston, and Schmitt.

RESOLUTION.

The following resolution was offered:

By Mr. Beardslee:

Resolved, That a committee of three be appointed by the Speaker of the Assembly to wait upon the Senate and inform that body that the Assembly is now ready to adjourn *sine die*.

Resolution read, and adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution the Speaker appointed Assemblymen Beardslee, Hinkle, and Cogswell as such committee.

READING AND APPROVAL OF MINUTES.

The minutes of Friday, September 9, 1910, were read and, on motion of Mr. Transue, approved.

ADJOURNMENT.

At twelve o'clock m., of Friday, September 9, 1910, the Hon. P. A. Stanton, Speaker of the Assembly, announced that the time for final adjournment of the extra session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned *sine die*.

CALIFORNIA LEGISLATURE—ASSEMBLY.

THIRTY-EIGHTH (SECOND EXTRA) SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,)
Monday, October 3, 1910. }

The Assembly met at twelve o'clock m., in pursuance to the proclamation of His Excellency James N. Gillett, Governor of the State of California, dated the twenty-eighth day of September, 1910.

Hon. P. A. Stanton, Assemblyman from the Seventy-first District, and Speaker of the Assembly, in the chair

In pursuance to the requirements of the Political Code, Section 237, the following officers of the Assembly of the thirty-eighth (regular) session of the Legislature were present, and in their respective positions: Thos. G. Walker, Assistant Chief Clerk; H. A. Harper, Minute Clerk; and John T. Stafford, Sergeant-at-Arms.

The Speaker directed the Assistant Chief Clerk to call the roll of Assemblymen.

The roll was called, and the following members of the Assembly answered to their names:

Messrs. Barndollar, Baxter, Beardslee, Beatty, Behan, Black, Bohnett, Callan, Cattell, Coghlan, Cogswell, Collier, Collum, Costar, Cronin, Cullen, Dean, Drew, Feeley, Flavelle, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hanlon, Hayes, Hewitt, Hinkle, Holmquist, Hopkins, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Juilliard, Kehoe, Leeds, Lightner, Macauley, Maher, McClellan, McManus, Melrose, Mendenhall, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perne, Polsley, Preston, Pugh, Pulcifer, Rutherford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Wheelan, Whitney, Wilson, Wyllie, Young, and Mr. Speaker.

Quorum present.

PRAYER.

By invitation of the Speaker, the opening prayer was offered by the Rev. L. S. Jones, of Sacramento, California.

The Speaker directed the Assistant Chief Clerk to read the Governor's proclamation.

The following was read.

THE PROCLAMATION BY THE GOVERNOR, CONVENING THE LEGISLATURE IN EXTRAORDINARY SESSION.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT.

WHEREAS, The Legislature of the State of California, at its regular session commencing on the 4th day of January, 1909, adopted a resolution proposing an amendment to the constitution of the State of California, known as Senate Constitutional Amendment No. 1, entitled "A resolution to propose to the people of the State of California an amendment to the constitution of the State of California providing for

the separation of state and local taxation, providing for the taxation of public service and other corporations for the benefit of the state and to that end adding to article thirteen a new section to be numbered section fourteen, amending section ten of article thirteen, and repealing section ten of article eleven thereof, all relating to revenue and taxation"; and

WHEREAS, It appears that said amendment leaves uncertain the period for which the gross receipts and gross premiums mentioned in said resolution are to be computed, upon which the taxes therein provided for are to be levied, and in case said amendment should be adopted in its present form by the people, such uncertainty would jeopardize the revenues to be raised by the State under such amendment; and

WHEREAS, By reason of the foregoing an extraordinary occasion has arisen, and is now existing, requiring the Legislature of the State of California to convene.

Now, therefore, I, James N. Gillett, Governor of the State of California, by virtue of the power and authority in me vested by Section 9, Article V, of the constitution of the State of California, do hereby convene the Legislature of the State of California, to meet and assemble in extraordinary session at Sacramento, California, on Monday, the 3d day of October, 1910, at 12 o'clock noon of that day for the following purposes, to wit:

First. To consider and act upon a resolution proposing an amendment to the constitution of the State of California to be known as Senate Constitutional Amendment No. 1, to be submitted to the people of the State of California for approval and ratification in the words and figures following, to wit:

SENATE CONSTITUTIONAL AMENDMENT No. 1.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, providing for the separation of state and local taxation, providing for the taxation of public service and other corporations for the benefit of the state, and to that end adding to article thirteen a new section to be numbered section fourteen, amending section ten of article thirteen and repealing section ten of article eleven thereof, all relating to revenue and taxation

WHEREAS, It is deemed desirable to separate the sources of revenue for state purposes from the sources of revenue for county and municipal purposes; now, therefore

The Legislature of the State of California, at its extraordinary session, commencing on the third day of October, nineteen hundred and ten, two thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California the following amendment to the constitution of the State of California:

First. There is hereby added to article thirteen a new section to be numbered fourteen, and to read as follows:

Section 14 Taxes levied, assessed, and collected as hereinafter provided upon railroads, including street railways, whether operated in one or more counties, sleeping car, dining car, drawing-room car and palace car companies, refrigerator, oil, stock, fruit, and other car-loading and other car companies operating upon railroads in this state; companies doing express business on any railroad, steamboat, vessel or stage line in this state; telegraph companies; telephone companies; companies engaged in the transmission or sale of gas or electricity; insurance companies; banks, banking associations, savings and loan societies, and trust companies; and taxes upon all franchises of every kind and nature, shall be entirely and exclusively for state purposes, and shall be levied, assessed, and collected in the manner hereinafter provided. The word "companies" as used in this section shall include persons, partnerships, joint-stock associations, companies, and corporations.

(a) All railroad companies, including street railways, whether operated in one or more counties, all sleeping car, dining car, drawing-room car, and palace car companies, all refrigerator, oil, stock, fruit and other car-loading and other car companies, operating upon the railroads in this state; all companies doing express business on any railroad, steamboat, vessel, or stage line in this state; all telegraph and telephone companies; and all companies engaged in the transmission or sale of gas or electricity, shall annually pay to the state a tax upon their franchises, roadways, roadbeds, rails, rolling stock, poles, wires, pipes, canals, conduits, rights of way, and other property, or any part thereof, used exclusively in the operation of their business in this state, computed as follows: Said tax shall be equal to the percentages hereinafter fixed upon the gross receipts from operation of such companies and each thereof within this state. When such companies are operating partly within and partly without this state, the gross receipts within this state shall be deemed to be all receipts on business beginning and ending within this state, and a proportion, based upon the proportion of the mileage within this state to the entire mileage over which such business is done, of receipts on all business passing through, into, or out of this state.

The percentages above mentioned shall be as follows: On all railroad companies, including street railways, four per cent: on all sleeping car, dining car, drawing-room car, palace car companies, refrigerator, oil, stock, fruit and other car-loading and other car companies, three per cent: on all companies doing express business on any railroad, steamboat, vessel, or stage line, two per cent; on all telegraph and telephone companies, three and one half per cent; on all companies engaged in the transmission or sale of gas or electricity, four per cent. Such taxes shall be in lieu of all

other taxes and licenses, state, county and municipal, upon the property above enumerated of such companies except as otherwise in this section provided; *provided*, that nothing herein shall be construed to release any such company from the payment of any amount agreed to be paid or required by law to be paid for any special privilege or franchise granted by any of the municipal authorities of this state.

(b) Every insurance company or association doing business in this state shall annually pay to the state a tax of one and one half per cent upon the amount of the gross premiums received upon its business done in this state, less return premiums and reinsurance in companies or associations authorized to do business in this state; *provided*, that there shall be deducted from said one and one half per cent upon the gross premiums the amount of any county and municipal taxes paid by such companies on real estate owned by them in this state. This tax shall be in lieu of all other taxes and licenses, state, county and municipal, upon the property of such companies, except county and municipal taxes on real estate, and except as otherwise in this section provided, *provided*, that when by the laws of any other state or country, any taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, are imposed on insurance companies of this state, doing business in such other state or country, or upon their agents therein, in excess of such taxes, fines, penalties, licenses, fees, deposits of money, or of securities or other obligations or prohibitions, imposed upon insurance companies of such other state or country, so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind may be imposed by the legislature upon insurance companies of such other state or country doing business in this state.

(c) The shares of capital stock of all banks, organized under the laws of this state, or of the United States, or of any other state, and located in this state, shall be assessed and taxed to the owners or holders thereof by the state board of equalization, in the manner to be prescribed by law, in the city or town where the bank is located, and not elsewhere. There shall be levied and assessed upon such shares of capital stock an annual tax, payable to the state, of six tenths of one per centum upon the value thereof. The value of each share of stock in each bank, except such as are in liquidation, shall be taken to be the amount paid in thereon, together with its pro rata of the accumulated surplus and undivided profits. The value of each share of stock in each bank which is in liquidation shall be taken to be its pro rata of the actual assets of such bank. This tax shall be in lieu of all other taxes and licenses, state, county and municipal, upon such shares of stock and upon the property of such banks, except county and municipal taxes on real estate, and except as otherwise in this section provided. In determining the value of the capital stock of any bank there shall be deducted from the value, as defined above, the value, as assessed for county taxes, of any real estate other than mortgage interest therein, owned by such bank and taxed for county purposes. The banks shall be liable to the state for this tax, and the same shall be paid to the state by them on behalf of the stockholders in the manner and at the time prescribed by law, and they shall have a lien upon the shares of stock and upon any dividends declared thereon to secure the amount so paid.

The moneyed capital reserve, surplus, undivided profits and all other property belonging to unincorporated banks or bankers of this state, or held by any bank located in this state which has no shares of capital stock, or employed in this state by any branches, agencies, or other representatives of any banks doing business outside of the State of California, shall be likewise assessed and taxed to such banks or bankers by the said board of equalization, in the manner to be provided by law, and taxed at the same rate that is levied upon the shares of capital stock of incorporated banks, as provided in the first paragraph of this subdivision. The value of said property shall be determined by taking the entire property invested in such business, together with all the reserve, surplus, and undivided profits at their full cash value, and deducting therefrom the value, as assessed for county taxes, of any real estate, other than mortgage interests therein, owned by such bank and taxed for county purposes. Such taxes shall be in lieu of all other taxes and licenses, state, county and municipal upon the property of the banks and bankers mentioned in this paragraph except county and municipal taxes on real estate, and except as otherwise in this section provided. It is the intention of this paragraph that all moneyed capital and property of the banks and bankers mentioned in this paragraph shall be assessed and taxed at the same rate as an incorporated bank, provided for in the first paragraph of this subdivision. In determining the value of the moneyed capital and property of the banks and bankers mentioned in this subdivision, the said state board of equalization shall include and assess to such banks all property and everything of value owned or held by them, which go to make up the value of the capital stock of such banks and bankers if the same were incorporated and had shares of capital stock.

The word "banks" as used in this subdivision shall include banking associations, savings and loan societies and trust companies, but shall not include building and loan associations.

(d) All franchises other than those expressly provided for in this section, shall be assessed at their actual cash value, in the manner to be provided by law, and shall be taxed at the rate of one per centum each year, and the taxes collected thereon shall be exclusively for the benefit of the state.

(e) Out of the revenues from the taxes provided for in this section, together with all other state revenues, there shall be first set apart the moneys to be applied by the

state to the support of the public school system and the state university. In the event that the above named revenues are at any time deemed insufficient to meet the annual expenditures of the state, including the above named expenditures for educational purposes, there may be levied, in the manner to be provided by law, a tax, for state purposes, on all the property in the state, including the classes of property enumerated in this section, sufficient to meet the deficiency. All property enumerated in subdivisions *a*, *b*, and *d* of this section shall be subject to taxation, in the manner provided by law, to pay the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, town, township or district, before the adoption of this section. The taxes so paid for principal and interest on such bonded indebtedness shall be deducted from the total amount paid in taxes for state purposes.

(f) All the provisions of this section shall be self-executing, and the legislature shall pass all laws necessary to carry this section into effect, and shall provide for a valuation and assessment of the property enumerated in this section, and shall prescribe the duties of the state board of equalization, and any other officers in connection with the administration thereof. The rates of taxation fixed in this section shall remain in force until changed by the legislature, three fourths of all the members elected to each of the two houses voting in favor thereof. The taxes herein provided for shall become a lien on the first Monday in March of each year after the adoption of this section and shall become due and payable on the first Monday in July thereafter. The gross receipts and gross premiums herein mentioned shall be computed for the year ending the thirty-first day of December prior to the levy of such taxes, and the value of any property mentioned herein shall be fixed as of the first Monday in March. Nothing herein contained shall affect any tax levied or assessed prior to the adoption of this section; and all laws in relation to such taxes in force at the time of the adoption of this section shall remain in force until changed by the legislature. Until the year 1918 the state shall reimburse San Bernardino and Placer counties for the net loss in county revenue occasioned by the withdrawal of railroad property from county taxation. The legislature shall provide for reimbursement from the general funds of any county to districts therein, where loss is occasioned in such districts by the withdrawal from local taxation of property taxed for state purposes only.

(g) No injunction shall ever issue in any suit, action or proceeding in any court against this state or against any officer thereof, to prevent or enjoin the collection of any tax levied under the provisions of this section until such tax has been actually paid; but after such payment action may be maintained to recover any tax illegally collected in such manner, and at such time as may now or hereafter be provided by law.

Second. Section ten of article thirteen of said constitution is hereby amended to read as follows:

Section 10. All property, except as otherwise in this constitution provided, shall be assessed in the county, city, city and county, town or township, or district in which it is situated, in the manner prescribed by law.

Third. Section ten of article eleven of said constitution is hereby repealed.

Second. In the event that said resolution is adopted by the legislature, then, and in that event only, to rescind the action of the legislature in passing and adopting said Senate Constitutional Amendment No. 1, so adopted by the legislature at its regular session on the 19th day of March, 1900.

Third. To enact such legislation and appropriate such money as may be necessary for the purpose of submitting to the people of the State of California, the said proposed constitutional amendment, and such other constitutional amendments heretofore proposed by the legislature, as are to be voted upon at the general election in November, 1910.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed hereunto the great seal of the State of California at my office in the State Capitol, this 28th day of September, in the year of our Lord one thousand nine hundred and ten, and of the admission of the State of California the sixtieth

[SEAL]

J. N. GILLETT,

Governor of the State of California

Attest: C. F. CURRY,
Secretary of State.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Drew:

Resolved. That the following persons be, and are hereby elected officers of the Assembly, with per diem as fixed by statute:

Hon. P. A. Stanton	Speaker
Hon. Geo. M. Perine	Speaker pro tem.
T. G. Walker	Chief Clerk.
H. A. Harper	Minute Clerk
Wm. Nye	Journal Clerk
John T. Stafford	Sergeant-at-Arms.
J. Kofod	First Assistant Sergeant-at-Arms
I. S. Jones	Chaplain.

Ralph A. Sollars-----	Stenographer
W. Murphy-----	Porter.
O. T. Pierce-----	Gatekeeper.
J. Purrington-----	Gatekeeper.
P. Simmons-----	Gatekeeper.
Wm. Sitton-----	Porter.
S. Addison-----	Porter.
Tom Farewell-----	Page.
John Hayes-----	Page.

And be it further resolved, That the State Controller be and he is hereby directed to draw his warrants in favor of the above named persons, and the State Treasurer is hereby directed to pay such warrants, for and at the fixed per diem.

Resolved, That all officers, attachés and employés, whose names do not appear on the above report or in the foregoing resolution, are hereby dismissed and their names stricken from the pay roll.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Beban, Black, Bohnett, Callan, Cattell, Coghlan, Collum, Costar, Cronin, Cullen, Dean, Drew, Feeley, Flavalle, Fleisher, Flint, Gerdes, Gillis, Griffiths, Hanlon, Hayes, Hewitt, Hinkle, Hopkins, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Juillard, Kehoe, Leeds, Maher, McManus, Melrose, Mendenhall, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perine, Polsley, Preston, Pugh, Pulcifer, Rutherford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Wheelan, Whitney, Wilson, Wyllie, Young, and Mr. Speaker—64.

NOES—None.

Whereupon the Speaker declared the above named duly elected officers of the Assembly for the thirty-eighth (second extra) session of the Legislature.

OATH OF OFFICE.

The afore-named officers (elect) of the Assembly presented themselves at the bar of the Assembly and each took and subscribed to the following oath of office:

I do solemnly swear that I will support the Constitution of the United States of America, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office to which I have been elected, according to the best of my ability.

RESOLUTIONS—(RESUMED).

The following resolutions were offered:

By Mr. Transue:

Resolved, That the Chief Clerk be, and he is, hereby instructed to inform the Senate that the Assembly is in session, pursuant to the proclamation of his Excellency the Governor, dated Wednesday, September 28, 1910, and ready for the transaction of legislative business, with the following officers, to wit:

Speaker—Hon P. A. Stanton.
 Speaker pro tem.—Hon. Geo. M. Perine.
 Chief Clerk—T. G. Walker.
 Minute Clerk—H. A. Harper.
 Sergeant-at-Arms—John T. Stafford.
 Journal Clerk—Wm Nye.
 Chaplain—L. S. Jones.

Resolution read and adopted.

By Mr. Griffiths:

Resolved, That a select committee of three be appointed by the Speaker, to act with a like committee from the Senate, to wait upon the Governor and inform him that the two houses of the Legislature are in session, and in readiness to receive any communication which he may have to make.

Resolution read and adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Griffiths, Hanlon, and Feeley as such committee.

By Mr. Johnston :

Resolved, That until further order the Standing Rules of the Assembly at its last regular session be and the same are hereby adopted as the rules of this session.

The roll was called, and the resolution adopted by the following vote :

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Beban, Black, Callan, Cattell, Coghlan, Cogswell, Collier, Costar, Cronin, Cullen, Dean, Draw, Flavelle, Fleisher, Flint, Gerdes, Gillis, Hayes, Hewitt, Hinkle, Hopkins, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Juilliard, Kehoe, Leeds, Macauley, Maher, McManus, Melrose, Mendenhall, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perine, Polsley, Preston, Pugh, Pulcifer, Rutherford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Wheelan, Whitney, Wilson, Wyllie, Young, and Mr. Speaker—62.

NOES—None.

STANDING RULES OF ASSEMBLY.

1. *Hour of Meeting.*

The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes A. M. Until -----, 1910, adjournment shall be taken at twelve o'clock and thirty minutes P. M., and after said date a recess shall be taken at said hour to two o'clock P. M., unless otherwise ordered by a vote of the house.

2. *Order of Business.*

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports of Select Committees.
7. Messages from the Governor.
8. Messages from the Senate.
9. Introduction and Reference of Bills.
10. Motions and Resolutions.
11. Special Orders of the Day.
12. Unfinished Business of the Preceding Day.
13. Business on Special File.
14. Business on General File and Third Reading of Bills.

3. *Reports of Committee on Engrossed and Enrolled Bills.*

It shall be in order for the Committee on Engrossed and Enrolled Bills to report at any time.

4. *Messages from the Governor and Senate.*

Messages from the Governor and from the Senate may be considered at any time by a vote of the House.

5. *Petitions to be Presented, with a Brief Statement of Contents.*

Petitions, memorials and other papers addressed to the House shall be presented by the Speaker, or by a member in his place. A brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table, or be referred, as the House shall determine.

6. *Introduction and Reading of Bills.*

Any member desiring to introduce a bill shall rise in his place and address the Speaker, and, upon being recognized, shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at either reading until the House has so determined by a vote. All bills to appropriate money for contingent purposes shall be presented by a Committee on Ways and Means. The chairman or clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

7. *Introduction of Bills by Committee.*

Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper

second-reading file. When such a bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, ordered printed, and placed upon the Assembly file for further action.

8. *Disposition of Senate Bills.*

When a Senate bill has been received by the House, with a message announcing that the same has passed the Senate, such bill shall be referred to a standing committee; *provided, however*, that when a Senate bill is received, the provisions of which are identical with those of an Assembly bill which has already been considered and reported by a committee of the House, such Senate bill shall be substituted for the Assembly bill (the latter being considered withdrawn), shall take the same place upon the Assembly file, and be considered as having received the same recommendation of the Assembly committee; *provided*, that the fact that the bills are identical shall be entered in the Journal.

9. *Joint Resolutions and Constitutional Amendments.*

Joint resolutions shall be treated the same as bills; *provided*, that they shall be read but once, and that after they have been reported by a committee; *and provided further*, that the ayes and noes shall not be called upon their adoption, unless regularly demanded. Proposed amendments to the Constitution shall be treated the same as bills; *provided*, they shall be read but once, and only after they shall have been reported by a committee.

10. *Proceedings Touching Appropriations of Money to be Considered in Committee of the Whole.*

All bills making appropriations of money shall be considered in a Committee of the Whole House while on second reading, and no addition to any appropriation shall be made out or Committee of the Whole.

11. *Reference of Bills*

No debates shall be allowed on any motion to refer a bill or resolution to a committee. The Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the House by a majority vote refer it to some other committee.

12. *Referring with Special Instructions.*

A bill or resolution may be committed with special instructions at any time after the third reading has been ordered.

13. *Order of Making File.*

Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule 6. When reported back they shall be placed upon the general file, to be kept by the Clerk, as follows: All bills when reported to the House by the committee shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading; and precedence shall be given in the consideration of bills in the following order: third-reading file and second-reading file, unless otherwise ordered by a two-thirds vote of the House. The Clerk shall post, in a conspicuous place in the chamber, a daily statement of the bills on the general file, setting forth the order in which they were filed, and specifying the alterations arising from the disposal of business each day.

14. *Order of Making Special File*

The Clerk shall, from time to time, make up a file, to be known as the special file, on which he shall place bills relating to appropriations for the support of the State government and State institutions, revenue, election laws, and constitutional amendments, in the order named and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the general file be substituted for any bill thereon.

15. *Taking Up Bills Out of Order.*

When a member shall ask leave to have a bill taken up out of its regular order, he shall in making the motion, give the number and title of the bill, and its position on the file.

16. *Engrossing and Enrolling Bills.*

The Engrossing and Enrolling Clerk shall engross, and enroll, the bills which shall come to his hands for such purposes, in compliance with the provisions of Section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. Said Clerk shall be responsible for every violation of this rule by his assistants or deputies; no clerk of this House, or his deputy or assistant, shall demand or receive from any person any compensation other than that provided by law for any services performed by him in regard to the bills or preparation of bills before this House.

17. Bills to be Reported Back Within Ten Days.

All bills referred to any committee shall be by such committee reported back to the House, with its action thereon, within ten days after such reference, unless the House, by request of such committee, shall otherwise order.

DUTIES OF SPEAKER.

18. To Call House to Order.

The Speaker, or, in his absence, the Speaker pro tem., shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and the Speaker pro tem., the Chief Clerk, or an assistant, shall call the House to order, whereupon a chairman shall be elected from among the members to preside.

19. To Preserve Order; to Decide Points of Order; and May Speak to Same.

He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

20. To Have Direction of the Hall; May Call Any Member to the Chair.

He shall have general direction of the hall. He shall have a right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

21. To Sign Resolutions, etc., Attested by the Clerk.

All acts, addresses, and joint resolutions shall be signed by the Speaker, and all writs, warrants, and subpoenas issued by order of the House shall be under his hand, attested by the Clerk.

22. May Order the Galleries and Lobby Cleared.

In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

DUTIES OF THE SERGEANT-AT-ARMS.

23. To Attend Sitzings of House; Serve Processes.

The Sergeant-at-Arms shall attend the House during its sittings, to execute the commands of the Speaker of the House, and all process issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House. He shall also have supervision of all the attachés of the House (except the clerks at the desk, the committee attachés, and the page to the Speaker, which page shall be under the exclusive supervision of the Speaker), and shall be responsible for the performance of their duties, and shall have power to suspend any attaché under him for dereliction of duty, and shall report to the Speaker such suspension and the causes thereof; said attaché shall not receive any pay during the time of such suspension. The Speaker shall have the power to relieve the attaché of his suspension, and shall have the power to remove any attaché for incompetency or for willful neglect of duty.

24. Fees of Sergeant-at-Arms.

The Sergeant-at-Arms shall receive for every arrest the sum of one dollar; for each day's custody and release, one dollar, and for traveling expenses for himself, or a special messenger, going and coming, ten cents per mile; but no compensation shall be allowed for the arrest, custody, or release of members under a call of the House, within the limits of the Capitol grounds. All fees accruing to the Sergeant-at-Arms for arrest, custody, and release of members, shall be paid by the members so arrested, held in custody, and released, unless excused by a vote of the House. And when a member shall be excused by the House, the Sergeant-at-Arms shall not be allowed any fees for the arrest.

25. Assistant Sergeant-at-Arms to be Doorkeeper.

The Assistant Sergeant-at-Arms shall be the Doorkeeper, and shall be sworn to keep the secrets of the House.

26. Standing Committees.

The Standing Committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of seven members.
2. A Committee on Attachés and Employés, to consist of seven members.
3. A Committee on Banks and Banking, to consist of five members.
4. A Committee on Building and Loan Associations, to consist of seven members.
5. A Committee on Claims, to consist of seven members.
6. A Committee on Commerce and Navigation, to consist of nine members.
7. A Committee on Commissions and Public Expenditures, to consist of seven members.

8. A Committee on Contingent Expenses and Accounts, to consist of five members.
9. A Committee on Constitutional Amendments, to consist of seven members.
10. A Committee on Contested Elections, to consist of seven members.
11. A Committee on Corporations, to consist of nine members.
12. A Committee on Counties and County Boundaries, to consist of nine members.
13. A Committee on County and Township Governments, to consist of thirteen members.
14. A Committee on Dairies and Dairy Products, to consist of nine members.
15. A Committee on Election Laws, to consist of seven members.
16. A Committee on Education, to consist of nine members.
17. A Committee on Engrossment and Enrollment, to consist of seven members.
18. A Committee on Fruit and Vine Interests, to consist of seven members.
19. A Committee on Fish and Game, to consist of eleven members.
20. A Committee on Federal Relations, to consist of seven members.
21. A Committee on Governor's Messages, to consist of five members.
22. A Committee on Immigration, to consist of nine members.
23. A Committee on Insurance and Insurance Laws, to consist of nine members.
24. A Committee on Irrigation, to consist of nine members.
25. A Committee on Judiciary, to consist of twenty-one members.
26. A Committee on Labor and Capital, to consist of nine members.
27. A Committee on Levees and River Improvements, to consist of seven members.
28. A Committee on Manufactures and Internal Improvements, to consist of seven members.
29. A Committee on Mileage, to consist of five members.
30. A Committee on Military Affairs, to consist of seven members.
31. A Committee on Mines and Mining Interests, to consist of nine members.
32. A Committee on Municipal Corporations, to consist of seven members.
33. A Committee on Oil Industries and Oil Mining Interests, to consist of nine members.
34. A Committee on Public Buildings and Grounds, to consist of eleven members.
35. A Committee on Public Health and Quarantine, to consist of seven members.
36. A Committee on Public Lands and Forestry, to consist of seven members.
37. A Committee on Public Morals, to consist of nine members.
38. A Committee on Public Printing, to consist of seven members.
39. A Committee on Public Works, State Capitol, and Parks, to consist of seven members.
40. A Committee on Public Charities and Corrections, to consist of seven members.
41. A Committee on Reform of the Civil Service, to consist of five members.
42. A Committee on Retrenchment and Reform, to consist of seven members.
43. A Committee on Revenue and Taxation, to consist of nine members.
44. A Committee on Revision and Reform of Laws, to consist of nine members.
45. A Committee on Roads and Highways, to consist of eleven members.
46. A Committee on Rules and Regulations, to consist of five members, one of whom shall be the Speaker.
47. A Committee on State Hospitals and Asylums, to consist of eleven members.
48. A Committee on State Library, to consist of five members.
49. A Committee on State Prisons and Reformatory Institutions, to consist of nine members.
50. A Committee on Ways and Means, to consist of fifteen members.
51. A Committee on Universities, to consist of seven members.
52. The San Francisco Delegation, to whom may be referred matters of interest to the City and County of San Francisco, but not to the exclusion of the jurisdiction of other committees.
53. The Los Angeles Delegation, to whom may be referred matters of interest in particular to the City and County of Los Angeles, but not to the exclusion of the jurisdiction of the other committees.
54. A Committee on Common Carriers, to consist of eleven members.

27. Committees to be Appointed by Speaker.

All committees shall be appointed by the Speaker, unless otherwise ordered by the House.

28. Committee on Contested Elections.

It shall be the duty of the Committee on Contested Elections to examine and report upon the certificates of election, or other credentials of the members returned to serve in this House, and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come into question, and be referred to them by the House.

29. Committee on Ways and Means.

It shall be the duty of the Committee on Ways and Means to take into consideration all reports of the State Officers and State Boards or State Commissions and all propositions relative to the revenue of the State as may be referred to them by the Assembly; to inquire into the state of the revenue and expenditures of the State, and report from time to time their opinion thereon. All bills for the appropriation

of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means, and said committee shall consider them and report thereon the amount of appropriation required, but such bill shall retain its place on the file pending its consideration by said Committee on Ways and Means.

The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

30. Committee on Commissions and Public Expenditures.

It shall be the duty of the Committee on Commissions and Public Expenditures to ascertain what State commissions, institutions, or boards, if any, can be abolished or consolidated with advantage to the public, in view of a more economical administration of State affairs; to ascertain what expenditures and salaries of the various public offices and institutions can be advantageously reduced or discontinued; to prepare and report to the Assembly such bills or resolutions as may be required to carry out the recommendations of the committee.

31. Committee on Engrossment.

It shall be the duty of the Engrossing Committee to compare all bills ordered or considered engrossed by this House with the engrossed copies thereof; and before they pass out of the possession of the House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

32. Committee on Revision and Reform of Laws.

It shall be the duty of the Committee on Revision and Reform of Laws to take into consideration all petitions, bills, and resolutions touching the revision and reform of the existing laws of the State of California that shall or may be presented or come into question and be referred to it by the Assembly.

33. Committee Expenditures

No committee shall be permitted to incur any expense by visiting any part of the State on official or other business, without first obtaining leave of the House by a two-thirds vote of the members thereof.

34. Committee on the Whole House.

In forming a Committee of the Whole House, a chairman, to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the Assembly by the Chairman. After report to the Assembly, the bill shall again be subject to amendment before a vote on the report is taken.

35. Rules in Committee of the Whole.

The rules of the Assembly shall be observed in Committee of the Whole, as far as may be applicable, except limiting the time of speaking, and except that the ayes and noes shall not be taken.

36. Motion to Rise Decided Without Debate.

A motion that the committee rise shall always be in order, and shall be decided without debate.

37. Reference of Bills.

When a motion is made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order:

The Committee of the Whole.

A Standing Committee.

A Select Committee.

38. Calling Members to Order When Transgressing Rules.

If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House, but no discussion of a question of order shall be allowed, unless an appeal be taken from the decision of the Chair.

39. Speaker to Decide Who is Entitled to the Floor

When two or more members shall rise at once, the Speaker shall name the member who is first to speak.

40. *Order in Speaking to Questions.*

Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question. No member shall be allowed to speak more than thirty (30) minutes upon any question, except by leave of the House.

41. *Called to Order for Offensive Words in Debate.*

If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken or other business has intervened after the words spoken, and before exception to them shall have been taken.

42. *Personal Explanation*

Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

43. *Motions to be Stated by Speaker shall be Reduced to Writing, or May be Withdrawn.*

No motion shall be debated until the same be seconded and distinctly announced by the Speaker; and it shall be reduced to writing, if desired by the Speaker, or any member, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn by leave of the House, at any time before amendment or decision.

44. *Motion to Adjourn.*

A motion to adjourn shall always be in order, except during roll call. The Clerk shall enter on the Journal the name of any member moving an adjournment, also the hour at which the motion was made.

When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House, which would seem to render it improper to adjourn at that time. Such statement, however, shall not be debatable, and such statement or statements shall not, in any case, occupy more than two minutes.

Concurrent resolutions for adjournment *sine die* shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolution not later than the next legislative day, and with regard to the status of the general appropriation bill and the tax levy.

45. *Precedence of Motions During Debate*

When a question is under debate, or before the House, no motion shall be received but: To adjourn, to lay on the table; for the previous question; to postpone to a day certain, to commit or amend, to postpone indefinitely, which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have preference over a motion to amend, and, if carried, shall be considered equivalent to its rejection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

46. *Previous Question*

The previous question shall be in this form, "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

47. *Questions of Order After Previous Question is Ordered.*

All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate; *provided*, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto.

48. *Previous Question Demanded.*

The previous question shall only be put when demanded by three members.

49. *Question Indefinitely Postponed*

When a question is postponed indefinitely, the same shall not again be introduced during the session.

50. *Division of Questions.*

Any member may call for a division of the question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither a motion to add to, nor a motion to strike out and insert.

51. *Substitute.*

A substitute shall be deemed and held to be an amendment, and be treated in all respects as such.

52. *Subjects Different from the One Under Consideration.*

No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

53. *Printing of Bills.*

Five hundred copies of all bills shall be printed. The Sergeant-at-Arms shall be required to certify to the reception by the House of all such printed matter, and the quantity thereof.

54. *Printing Extra Number of Bills, etc.*

A proposition to print an extra number of any document or other matter shall lie on the table one day for consideration, unless otherwise ordered by consent of the House.

55. *Printing of Maps.*

Maps accompanying documents shall not be printed under the general order to print, without the special direction of the House.

56. *Filling Blanks.*

In filling up blanks the least sum and shortest time shall be first put.

57. *Priority of Business.*

All questions relating to the priority of business shall be decided without debate.

58. *Reading of Papers.*

When the reading of a paper is called for, except petitions, and the same is objected to by any member, it shall be determined by a vote of the House, without debate.

59. *Notice of Reconsideration.*

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the majority; and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion.

60. *Elections by House.*

In all cases of election by the House the vote shall be taken *viva voce*

61. *Calling Ayes and Noes.*

The ayes and noes shall be taken on the final passage of all bills, and when called for by three members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

62. *Members at Clerk's Desk.*

No member or other person shall remain by the Clerk's table while the ayes and noes are being called, or while the votes are being counted.

63. *Voting on Question When Interested.*

No person shall vote on any question in the result of which he is personally interested or involved.

64. *Division and Count of House.*

Upon a division and count of the House on any question, no person without the bar shall be counted.

65. *Explaining or Changing Vote.*

No member shall be allowed to explain his vote or discuss the question while the ayes and noes are being called, and no member shall be allowed to change his vote after the vote is announced from the chair.

66. *Call of the House.*

Upon a call of the House the names of the members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall again be called over. The door shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and taken into custody by the Sergeant-at-Arms wherever to be found, or by special messenger, to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a call of the House and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the House.

67. *Suspending and Changing Rules.*

No standing rule or order of the House shall be rescinded or changed without a vote of two thirds, and one day's notice being given of the motion therefor; *provided*, that the Committee on Rules and Regulations may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes

1. Bills affecting the State government, its revenue, its various departments or commissions, or appropriations therefor

2. Bills affecting county and township governments, or roads and highways.

3. Bills affecting town, city, city and county governments, or the municipal affairs of the same.

4. Bills amending election or primary election laws

5. Constitutional amendments.

6. Bills amending or repealing the Codes or sections thereof.

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendment by the House.

On the adoption of such temporary rule by the House by a two thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise, such bill shall thereupon be made the special order for the time fixed therein.

A rule of order may be suspended temporarily by a vote of two thirds of the members present, except that portion of Rule 6 relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules and Regulations.

The Committee on Rules and Regulations may also, at any time, report a temporary rule or regulation for the consideration of the business on the file, having regard to the condition of the business of the House. When such temporary rule or regulation shall have been adopted by the House, it shall have the effect, for the time being, of a standing rule, and shall be enforced by the Speaker.

68. *Members Absenting Themselves.*

No member shall absent himself from the service of the House without the leave of the House, except in case of sickness; and if any member or officer of the House absent himself without leave, his per diem shall not be allowed him; but no member shall obtain leave of absence, or be excused, without a vote of two thirds of the House.

69. *Persons Admitted to Floor.*

No person except Senators, State officers, Governors and ex-Governors of States, Members of Congress, Judges of the Supreme or Superior Courts, members of the press when accredited by their respective journals, ladies when specially invited by a member of the House, shall be admitted within the Assembly Chamber, except in the galleries, during the session of the House; but a majority may have the floor of the House within the bar cleared of any or all such persons. The Speaker is charged with the enforcement of this rule.

70. *Smoking in Hall.*

No smoking shall be allowed within the Assembly Chamber during the session of the House.

71. *Parliamentary Rules.*

The rules of parliamentary practice contained in Roberts' Rules of Order shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and House of Assembly.

72. Use of Hall.

The Assembly Room shall not be used for any public or private business other than legislative, except by consent of a majority of the House.

73. Fees for Witnesses

Witnesses summoned to appear before the House, or any of its committees, shall be paid as follows: For each day a witness shall attend, the sum of two dollars; for each mile he shall travel in coming to and going from place of examination, the sum of ten cents. No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

74. Protest of Members.

It shall be in order for any member or members to protest against the action of the House, and have such protest entered upon the minutes.

75. Fees Allowed in Cases of Contest.

Whenever, in the Assembly, a contest is made for the seat of any Assemblyman, no more than two hundred dollars shall be allowed as counsel fees to either side.

76. Assignment of Attachés

The Committee on Attachés and Employés shall assign the committee clerks and the official stenographers of the House to the various committees; *provided*, that the Committee on Judiciary and the Committee on Ways and Means shall each be entitled to one clerk and one stenographer, to be selected by the chairman of those committees, respectively.

All assignments of committee clerks and stenographers made by the Committee on Attachés and Employés under this rule be reported to the House and entered in the Journal.

77. Introduction of Bills After Fiftieth Day.

On or prior to the fiftieth day of the session the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the fiftieth day shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

That committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution without debate.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill.

78. Form for Introduction of Bills.

When a bill is introduced and when printed amending an existing law, the new matter shall be underscored, and portions of the law proposed to be omitted shall be included in brackets; *provided, however*, that where the subject consists of an entirely new section, the words thereof need not be underscored, and that when any bill introduced repeals an existing law in whole, the matter repealed need not be put in the bill.

All bills reported favorably or for consideration, if reported with amendments, shall be immediately reprinted; the new matter underscored and the parts of the law proposed to be omitted included in brackets.

79. Leaves of Absence of Committee Visiting Public Institutions

When leave of absence shall be granted any committee, special or standing, to visit public buildings or institutions, or for any other purpose, such leave shall be granted only by a two thirds vote taken *in a rocc*, and no expenses or mileage of attachés shall be allowed. No member of the Assembly shall accompany a committee as a substitute for a member thereof who declines to accompany the committee, without permission for such substitution being obtained from the Speaker. Application for a leave of absence for a committee shall be made to the Assembly by the chairman thereof, by resolution, which shall give the name of the institution or institutions to be visited, and briefly recite the occasion and necessity for visiting the same, together with the number of committeemen desiring leave. Such resolution shall immediately, and without debate, be referred to the Committee on Rules and Regulations, with instructions to report upon the next legislative day on the same, and whether the leave of absence can be granted without interfering with the business of the Assembly.

80. Duties of Chief Clerk.

It shall be the duty of the Chief Clerk to have charge and supervision of all the clerical business of the Assembly. He shall perform the duties imposed on him by law and the rules of the Assembly. He shall have the supervision of all the clerks and assistants at the desk, of the journal clerk and his assistants, of all bill clerks, bill filers, stenographers, and of all committee attachés except the attachés to the committees on Judiciary and Ways and Means, and shall be responsible for the performance of their duties, and shall have power to suspend any such clerk, or attaché under him for dereliction of duty, and shall report to the Speaker such suspension and the causes thereof. Said clerk or attaché shall not receive any pay during the time of such suspension. The Speaker shall have the power to relieve the attaché or clerk of his suspension, and shall have the power to remove any clerk or attaché for incompetency or for willful neglect of duty.

81. Lobbying.

No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business during the sessions of the Assembly, or be permitted on the floor of the Assembly at any time, and any person transgressing this rule shall be removed from the floor of the Assembly and be deprived from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule. This rule can not be suspended except by a two thirds vote of the entire Assembly.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

MR. SPEAKER: Your committee of three appointed to wait upon the Governor, respectfully beg leave to report that they informed him that the Assembly is organized and is ready to transact the business of the State, and your committee was further requested by his Excellency to report that he had no further communications to make to your honorable body

GRIFFITHS, Chairman.

COMMUNICATION.

The following communication was ordered read:

New York, October 2, 1910.

J. T. STAFFORD, ESQ., *Sergeant-at-Arms, Assembly, Sacramento, Cal.*

Only airship available; disabled tube unfinished; can not fly. Unable to reach Legislature to-morrow. Mark us present and voting aye. Have boomed California and the Panama Fair in San Francisco to Grand Army at Atlantic City and Odd Fellows at Atlanta. Donate our salary and mileage to Panama-Exposition Company.

E. L. HAWK.
GROVE L. JOHNSON.

SENATE MESSAGE.

The following message from the Senate was taken up and read.

SENATE CHAMBERS, SACRAMENTO, October 3, 1910.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following resolution:

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized and ready to proceed to the business of the State, having elected the following statutory officers:

President pro tem.—Edward I. Wolfe
Secretary of the Senate—Lewis A. Hilborn.
Sergeant-at-Arms—J. Louis Martin.
Minute Clerk—W. H. Wright.
Chaplain—Rev. Father Henry H. Wyman.

LEWIS A. HILBORN, Secretary.

CONCURRENT RESOLUTION.

The following concurrent resolution was offered:

By Mr. Beardslee:

ASSEMBLY CONCURRENT RESOLUTION No. 1.

Be it resolved by the Assembly, the Senate concurring, That a committee of seven be appointed by the Speaker to meet a committee of like number from the Senate, such joint committee to report to both houses upon the legal phases of the legislation referred to in the proclamation of the Governor.

Resolution read, adopted, and ordered transmitted to the Senate.

CONCURRENT RESOLUTION.

The following concurrent resolution was offered:

By Mr. Preston:

ASSEMBLY CONCURRENT RESOLUTION No. 4,

To rescind and annul a resolution, known as Senate Constitutional Amendment No. 1, adopted by the Legislature March 19, 1909, being a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California providing for the separation of state and local taxation, providing for the taxation of public service and other corporations for the benefit of the State, and to that end adding to article thirteen a new section, to be numbered section fourteen; amending section ten of article thirteen, and repealing section ten of article eleven thereof, all relating to revenue and taxation.

Resolved by the Legislature of the State of California, two thirds of all the members elected to each of the two houses thereof concurring. That a resolution to propose to the people of the State of California an amendment to the constitution of the State of California providing for the separation of state and local taxation, providing for the taxation of public service and other corporations for the benefit of the State, and to that end adding to article thirteen a new section to be numbered section fourteen, amending section ten of article thirteen, and repealing section ten of article eleven thereof, all relating to revenue and taxation, adopted by the legislature March 19, 1909, and known as Senate Constitutional Amendment No. 1, is hereby rescinded and annulled, and the Secretary of State is hereby directed not to certify said proposed amendment to the county clerks of the several counties of the State of California, pursuant to Section 1195 of the Political Code.

Concurrent resolution read, and ordered to print.

LEAVES OF ABSENCE.

On motion, leaves of absence were granted to Assemblymen Johnson of Sacramento, Hawk, and Irwin.

RECESS.

At one o'clock P. M., on motion of Mr. Transue, the Assembly was declared at recess until three o'clock P. M., of this day.

RECONVENED.

At three o'clock P. M. the Assembly reconvened.

Speaker P. A. Stanton in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, October 3, 1910.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 2—An Act making an appropriation for printing expenses of extraordinary session of the Legislature.

LEWIS A. HILBORN, Secretary.

By FRANK MATTISON, Assistant Secretary.

Senate Bill No. 2 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, October 3, 1910.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly Concurrent Resolution No. 1, and appointed on such committee from the Senate, Senators Willis, Curtin, Cutten, Caminetti, Wolfe, Miller, and Wright.

LEWIS A. HILBORN, Secretary of Senate.

APPOINTMENT OF COMMITTEE.

In accordance with Assembly Concurrent Resolution No. 1, the Speaker appointed Assemblymen Beardslee, Leeds, Coghlan, Rutherford, Beatty, and Preston as such committee to represent the Assembly.

SENATE MESSAGES—(RESUMED):

SENATE CHAMBER, SACRAMENTO, October 3, 1910.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California providing for the separation of state and local taxation, providing for the taxation of public service and other corporations for the benefit of the State, and to that end adding to article thirteen a new section, to be numbered section fourteen, amending section ten of article thirteen, and repealing section ten of article eleven thereof, all relating to revenue and taxation

LEWIS R. HILBORN, Secretary.

By FRANK MATTISON, Assistant Secretary.

COMMUNICATION.

The following communication was read, and ordered printed in the Journal:

THE WHITE HOUSE, WASHINGTON.

BEVERLY, MASS., September 10, 1910.

MY DEAR MR. STANTON: I have received your telegram of September 8th, conveying to me the resolutions adopted by the Assembly of the California Legislature, and greatly appreciate the action taken.

Thanking you, and through you, the members of the Legislature for their kindly expressions, I am,

Sincerely yours,

WM. H. TAFT.

HON. PHILIP A. STANTON,
Speaker of the Assembly, Sacramento, Cal.

CONCURRENT RESOLUTION.

The following was offered:

By Mr. Transue:

ASSEMBLY CONCURRENT RESOLUTION No. 2.

WHEREAS, On the morning of October 1, 1910, the people of the State of California were appalled at learning that a terrible crime had been committed in the city of Los Angeles by parties as yet unknown, through the dynamiting and destruction of the property of the Los Angeles Times in said city, sacrificing the lives of many of our citizens therein employed, and spreading terror and fear in the hearts of the people of Los Angeles; and

WHEREAS, The commission of such fiendish crime is a reflection upon the fair name of the State of California, and is a grave attack upon the peace and dignity of our Commonwealth: now, therefore, be it

Resolved, That the Legislature of the State of California does most deeply deplore the perpetration of such outrage, and most earnestly urges that no effort or expense be spared in the apprehension and conviction of the culpable parties; and be it further

Resolved, That in the fiendish destruction of the property of the Los Angeles Times and the attempted destruction of the home of its owner, the sacred law of civilization that life is safe and property is secure, has been swept aside by the infamous hand of anarchy, and the fair name of California and her peace loving and law-abiding citizens have suffered a calamity, the enormity of which demands that neither time, place, nor money should be spared in administering extreme punishment to those responsible for this dastardly deed, and be it further

Resolved, That we extend to General Harrison Gray Otis, and to the relatives of the victims of the crime, our sincere sympathy in this his hour of trial.

Resolution read, adopted, and ordered transmitted to the Senate.

CONCURRENT RESOLUTION.

The following was offered:

By Mr. Schmitt:

ASSEMBLY CONCURRENT RESOLUTION No. 3.

WHEREAS, A most atrocious crime has been committed in the city of Los Angeles, the enormity of which has seldom, if ever, been equaled in the criminal annals of this State, and which resulted in the sacrifice of the lives of many citizens of our State, and the destruction of the valuable property of the Los Angeles Times; and

WHEREAS, It is fit and proper that the State of California should lend all possible assistance towards the apprehension and conviction of the guilty party or parties; now, therefore, be it

Resolved, That for the purposes aforesaid the sum of ten thousand dollars is hereby appropriated, one half from the contingent fund of the Senate, and one half from the contingent fund of the Assembly, the same to be paid upon the apprehension and conviction of the person or persons guilty of said crime to the person or persons giving information leading to the conviction of the guilty party or parties; and upon the approval of the President of the Senate, and the Speaker of the Assembly at such time as the conviction may be secured, the Controller is hereby directed to draw his warrants in the sum of ten thousand dollars, one half from the contingent fund of the Senate, payable to the President of the Senate, and one half from the contingent fund of the Assembly, payable to the Speaker of the Assembly; and the State Treasurer is hereby directed to pay the same

Resolution read.

POINT OF ORDER.

Mr. Dean rose to the point of order that the concurrent resolution was not germane to the call of the Governor convening the Legislature in extraordinary session.

POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken.

Roll call was regularly demanded.

The roll was called, and concurrent resolution adopted by the following vote:

AYES—Messrs. Bairdollar, Baxter, Beardslee, Black, Bohnert, Callan, Cattell, Coghlan, Cogswell, Collier, Cronin, Feeley, Fleisher, Flint, Gerdes, Gillis, Greer, Griffiths, Hanlon, Hayes, Hewitt, Hinkle, Hopkins, Johnson of San Diego, Johnston of Contra Costa, Leeds, Lightner, Macauley, Maher, McClellan, McManus, Melrose, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perne, Pugh, Puleifer, Rutherford, Sackett, Schmitt, Telfer, Transue, Wagner, Wheelan, Wilson, Wyllie, Young, and Mr. Speaker—52.

NOES—Messrs. Costar, Dean, Flavelle, Gibbons, Johnson of Placer, Juilliard, Kehoe, Mendenhall, Polesley, Stuckenbruck, and Whitney—11.

Assembly concurrent resolution ordered transmitted to the Senate.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, October 3, 1910

MR. SPEAKER: Your committee, appointed under Assembly Concurrent Resolution No. 1, reports as follows: That your said committee met with a like committee, appointed from the Senate, and that said joint committee recommends:

1. That it would be within the law to pass Assembly Concurrent Resolution No. 4, relating to the rescinding of the passage of Constitutional Amendment No. 1, passed by the Legislature at the regular session of 1909.

2. That in considering any amendment to Senate Constitutional Amendment No. 1, both houses be confined to the "uncertainty" mentioned in the Governor's call.

BEARDSLEE, Chairman of Assembly Committee.

Mr. Beardslee moved the adoption of the report.

Roll call regularly demanded.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Bairdollar, Baxter, Beardslee, Behan, Black, Coghlan, Cogswell, Collier, Cullen, Drew, Feeley, Fleisher, Gillis, Griffiths, Hanlon, Hopkins, Johnson

of San Diego. Kehoe. Leeds. Macauley. McManus. Melrose. Moore. Otis. O'Neill, Perrine, Pugh, Pulcifer, Rutherford, Schmitt. Silver. Transue. Wagner, Wheelan, and Mr. Speaker—35.

NOES—Messrs. Beatty, Bohnett, Callan, Cattell, Costar, Cronin, Dean, Flavelle, Flint, Gerdes, Gibbons, Greer, Hayes, Hewitt, Hinkle, Johnson of Placer, Johnston of Contra Costa, Juilliard, Lightner, Maher, Mendenhall, Mott, Odom, Polsley, Preston, Sackett, Stuckenbruck, Telfer, Webber, Whitney, Wilson, Wylie, and Young—33.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, October 3, 1910.

MR. SPEAKER: Your Committee on Mileage beg leave to report that they have computed the mileage according to Part II, Title III, and Section 237 of the Political Code, and recommend the adoption of the resolution herewith:

Resolved. That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby ordered and directed to pay the same:

Assemblyman.	Address	Mileage.	Amount.
Barndollar, Harry	Long Beach	936	\$93 60
Baxter, E. M.	Yosemite	484	48 40
Beardslee, R. L.	Stockton	96	9 60
Beatty, Henry N.	San Francisco	180	18 00
Beban, Dominick J.	San Francisco	180	18 00
Blick, George J.	San Francisco	180	18 00
Bohnett, L. B.	San Jose	256	25 60
Butler, E. I.	San Rafael	210	21 00
Callan, E. J.	San Francisco	180	18 00
Cattell, H. G.	Pasadena	912	91 20
Coghlan, Nathan C.	San Francisco	180	18 00
Cogswell, Prescott F.	El Monte	924	92 40
Collier, E. B.	Corona	1,004	100 40
Collum, B. J.	San Francisco	180	18 00
Costar, W. J.	Chico	192	19 20
Cronin, J. R.	Benicia	114	11 40
Cullen, J. A.	San Francisco	180	18 00
Dean, Arthur	Redding	342	34 20
Drew, A. M.	Fresno	338	33 80
Feeley, James T.	Oakland	168	16 80
Flavelle, J. W.	Ontario	972	97 20
Fleisher, Samuel	Santa Maria	750	75 00
Flint, W. R.	Fairview (Hollister)	354	35 40
Gerdes, Fred C.	San Francisco	180	18 00
Gibbons, Oscar	San Luis Obispo	686	68 60
Gillis, K. C.	Yreka	590	59 00
Greer, W. W.	Oak Park	6	60
Griffiths, W. B.	Monticello	178	17 80
Hammon, Percy V.	Los Angeles	894	89 40
Hanlon, Wm. J.	Los Angeles	894	89 40
Hans, George J.	Fruitvale	174	17 40
Hayes, Daniel R.	Santa Clara	256	25 60
Hewitt, A. H.	Yuba City	106	10 60
Hinkle, E. C.	San Diego	1,146	114 60
Hopkins, James E.	San Francisco	180	18 00
Johnson, Percy A.	Fallbrook	1,104	110 40
Johnson, P. H.	Roseville	36	3 60
Johnston, T. D.	Richmond	158	15 80
Juilliard, Louis W.	Santa Rosa	180	18 00
Kehoe, William	Eureka	624	62 40
Leeds, Walter R.	Los Angeles	894	89 40
Lightner, Charles	San Francisco	180	18 00
Macauley, Walter	San Francisco	180	18 00
Maher, J. B.	Santa Cruz	396	39 60
McClellan, J. W.	Bridgeville	734	73 40
McManus, John J.	San Francisco	180	18 00
Melrose, Richard	Anaheim	950	95 00
Mendenhall, John L.	Williams	120	12 00
Moore, E. B.	Conneropolis	180	18 00
Mott, John W.	Oakland	168	16 80
Nelson, Charles A.	San Francisco	180	18 00

Assemblyman.	Address.	Mileage	Amount
Odom, William R.	Coalinga	526	\$52 60
Otis, Frank	Alameda	182	18 20
O'Neill, Florence J.	San Francisco	180	18 00
Perine, George M.	San Francisco	180	18 00
Polsley, Harry	Red Bluff	304	30 40
Preston, John W.	Ukiah	300	30 00
Pugh, William C.	San Francisco	180	18 00
Pulcifer, Harry W.	Oakland	168	16 80
Rech, J. N. O.	Los Angeles	894	89 40
Rutherford, F. M.	Truckee	242	24 20
Sackett, George L.	Ventura	980	98 00
Schmitt, Milton L.	San Francisco	180	18 00
Silver, Thos. H.	Pleasanton	172	17 20
Stanton, P. A.	Los Angeles	894	89 40
Stuckenbruck, J. W.	Acampo	78	7 80
Telfer, Robert L.	San Jose	256	25 60
Transue, J. P.	Los Angeles	894	89 40
Wagner, Chas. W.	Madera	294	29 40
Webber, W. J.	Hanford	428	42 80
Wheelan, Albert P.	San Francisco	180	18 00
Whitney, W. B.	Healdsburg	208	20 80
Wilson, Lawrence H.	Winters	56	5 60
Wyllie, G. W.	Dinuba	398	39 80
Young, C. C.	Berkeley	168	16 80

CONTINGENT EXPENSES.

T. G. Walker	San Francisco	180	\$18 00
H. A. Harper	El Dorado	116	11 60
J. T. Stafford	Sacramento	2	20

CRONIN, Chairman.

AMENDMENT.

During the consideration of the report, the following amendment was offered by Mr. Sackett:

Owing to the fact of my not returning to my home in Ventura, California, since the last special session of the Legislature, I move that the resolution be amended by striking out the ninety-eight dollars mileage allowed Geo. L. Sackett.

Amendment adopted.

The question being on the adoption of the report and resolution as amended.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Beban, Black, Bohnett, Callan, Cattell, Coghlan, Collier, Costar, Cronin, Cullen, Dean, Drew, Feeley, Flavelle, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Hanlon, Hayes, Hewitt, Hinkle, Hopkins, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Juilliard, Kehoe, Leeds, Lightner, Macauley, Maher, McClellan, McManus, Melrose, Mendenhall, Moore, Mott, Odom, Otis, O'Neill, Perine, Preston, Pulcifer, Rutherford, Sackett, Schmidt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Wheelan, Whitney, Wilson, Wyllie, Young, and Mr. Speaker—64.

NOES—None.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, October 3, 1910.

MR. SPEAKER: Your committee on Ways and Means, to whom was referred Senate Bill No. 2—An Act making an appropriation for printing expenses of extraordinary session of the Legislature—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BEARDSLEE, Chairman.

RECESS.

At six o'clock and fifteen minutes P. M., on motion of Mr. Coghlan, the Assembly was declared at recess until eight o'clock P. M. of this day

RECONVENED.

At eight o'clock P. M. the Assembly reconvened.
Speaker P. A. Stanton in the chair.

RESOLUTION.

The following resolution was offered:
By Mr. Beardslee:

Resolved, That Senate Bill No. 2 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being upon the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Beban, Black, Bohnett, Callan, Cattell, Collier, Costar, Cullen, Dean, Drew, Flavelle, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hanlon, Hayes, Hewitt, Hinkle, Hopkins, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Juilliard, Kehoe, Macauley, Melrose, Mendenhall, Moore, Nelson, Odom, Otis, O'Neill, Perine, Polsley, Preston, Fulcifer, Rutherford, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Whitney, Wilson, Wyllie, Young, and Mr. Speaker—57.
NOES—Mr. Maher—1.

SECOND READING OF BILL.

Senate Bill No. 2—An Act making an appropriation for printing expenses of extraordinary session of the Legislature.

During the second reading of the bill, Mr. Beardslee moved that the Assembly resolve itself into the Committee of the Whole, with the Speaker in the chair, for the purpose of considering the bill.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 2 considered.

Mr. Beardslee moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker P. A. Stanton in the chair.

REPORT OF COMMITTEE.

The following report of the Committee of the Whole was received and read:

GENTLEMEN: Your Committee of the Whole have had under consideration Senate Bill No. 2, and respectfully report the same back, and recommend that it do pass.

STANTON, Chairman.

Bill read second time, and ordered to third reading.

THIRD READING OF BILL.

Senate Bill No. 2—An Act making an appropriation for printing expenses of extraordinary session of the Legislature.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 2 finally passed by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Beban, Black, Bohnett, Callan, Cattell, Coghlan, Collier, Costar, Cullen, Dean, Drew, Feeley, Flavelle, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hanlon, Hayes, Hinkle, Hopkins, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Juilliard, Kehoe, Macauley, Maher, Melrose, Mendenhall, Moore, Nelson, Odom, Otis, O'Neill, Perine, Polsley, Pulcifer, Rutherford, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Whitney, Wyllie, Young, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RESOLUTION.

The following resolution was offered:

By Mr. Transue:

Resolved, That the use of the Assembly Chamber be granted to the Republican County Central Committee of the county of Sacramento, for the purpose of tendering a reception to its candidate for Governor on the evening of October 10, 1910.

Resolution read, and on motion adopted.

ADJOURNMENT.

At eight o'clock and thirty minutes P. M., on motion of Mr. Beardslee, the Speaker declared the Assembly adjourned until nine o'clock and thirty minutes A. M. of Tuesday, October 4, 1910.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, October 4, 1910. }

At nine o'clock and thirty minutes A. M., pursuant to adjournment, the Assembly was called to order.

Hon. P. A. Stanton, Speaker of the Assembly, in the chair.

The roll was called, and the following members answered to their names:

Messrs. Barndollar, Baxter, Beardslee, Beatty, Beban, Black, Callan, Cattell, Coghlan, Cogswell, Collier, Collum, Costar, Cronin, Cullen, Dean, Drew, Feeley, Flavelle, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hammon, Hanlon, Hans, Hayes, Hewitt, Hinkle, Hopkins, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Juilliard, Kehoe, Leeds, Lightner, Macauley, Maher, McClellan, McManus, Melrose, Mendenhall, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perine, Polsley, Pulcifer, Rech, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Wheelan, Whitney, Wilson, Wyllie, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. L. S. Jones.

READING OF JOURNAL.

During the reading of the Journal, on motion of Mr. O'Neill, its further reading was dispensed with.

MOTION.

Mr. Beardslee moved that the vote of the Assembly taken on the third day of October, 1910, whereby the report of the select committee appointed by the Speaker to meet a like committee from the Senate, and to report upon the legal phases of the legislation referred to in the proclamation of the Governor, be rescinded.

Roll call regularly demanded.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Bohnett, Callan, Cattell, Collier, Collum, Costar, Cronin, Drew, Feeley, Fleisher, Flint, Gerdes, Gibbons, Greer, Hanlon, Hayes, Hewitt, Hinkle, Johnson of San Diego, Johnston of Contra Costa, Juilhard, Kehoe, Leeds, Lightner, Maher, McClellan, Melrose, Moore, Nelson, Odom, Otis, Perine, Polsley, Preston, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Wheelan, Whitney, Wilson, Wyllie, Young, and Mr. Speaker—51.

NOES—Messrs. Behan, Coghlan, Cogswell, Cullen, Dean, Gillis, Griffiths, Hopkins, Johnson of Placer, Macauley, McManus, Mendenhall, O'Neill, Pulcifer, and Webber—15.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT.

The following was taken up for consideration:

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California providing for the separation of state and local taxation, providing for the taxation of public service and other corporations for the benefit of the State, and to that end adding to article thirteen a new section, to be numbered section fourteen, amending section ten of article thirteen, and repealing section ten of article eleven thereof, all relating to revenue and taxation.

Senate constitutional amendment read.

During the consideration of the constitutional amendment the following amendment was submitted:

By Mr. Preston:

Amend by striking out of subdivision c, line 97, the words "of six tenths".

Mr. Preston moved the adoption of the amendment.

Motion duly seconded.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Beardslee moved a call of the house.

Motion carried.

Time, eleven o'clock and thirty-seven minutes A. M.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Messrs. Barndollar, Baxter, Beardslee, Beatty, Behan, Black, Bohnett, Callan, Cattell, Coghlan, Cogswell, Collier, Collum, Costar, Cronin, Cullen, Dean, Drew, Feeley, Flavelle, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hanlon, Hayes, Hewitt, Hinkle, Hopkins, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Juilhard, Kehoe, Leeds, Lightner, Macauley, Maher, McClellan, McManus, Melrose, Mendenhall, Moore, Mott, Nelson, Odom, Otis, O'Neill, Perine, Polsley, Preston, Pulcifer, Rech, Rutherford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Wheelan, Whitney, Wilson, Wyllie, Young, and Mr. Speaker.

The Chief Clerk announced the absentees.

Assemblymen Butler, Hans, and Pugh were excused on account of sickness.

Mr. Preston moved that further proceedings under the call of the House be dispensed with.

Motion lost.

Mr. Sackett moved that Mr. Hammon be excused

Motion carried.

FURTHER PROCEEDINGS UNDER THE CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and fifty minutes A. M., further proceedings under the call of the House were dispensed with, on motion of Mr. Preston.

The roll of absentees was called, and the amendment adopted by the following vote:

AYES—Messrs. Baxter, Beatty, Bohnett, Callan, Cattell, Costar, Cronin, Dean, Drew, Flavelle, Flint, Gerdes, Gibbons, Hayes, Hewitt, Johnson of Placer, Johnston of Contra Costa, Juilliard, Kehoe, Leeds, Lightner, Maher, McManus, Mendenhall, Mott, Nelson, Odom, Otis, Polsley, Preston, Rutherford, Sackett, Stuckenbruck, Telfer, Webber, Whitney, Wilson, Wyllie, and Young—39.

NOES—Messrs. Barndollar, Beardslee, Beban, Black, Coghlan, Cogswell, Collier, Collum, Cullen, Feeley, Fleisher, Gilis, Greer, Griffiths, Hanlon, Hinkle, Hopkins, Johnson of San Diego, Macauley, McClellan, Melrose, Moore, O'Neill, Perine, Pulcifer, Rech, Schmitt, Silver, Transue, Wagner, Wheelan, and Mr. Speaker—32.

NOTICE OF MOTION TO RECONSIDER.

Mr. McManus gave notice that he would later move a reconsideration of the vote whereby the above amendment was this day adopted.

RECESS.

At eleven o'clock and fifty-five minutes A. M., on motion of Mr. Beardslee, the Assembly was declared at recess until two o'clock P. M. of this day.

RECONVENED.

At two o'clock P. M. the Assembly reconvened.

Speaker P. A. Stanton in the chair.

RESOLUTIONS OUT OF ORDER.

The following resolution was offered:

By Mr. Beardslee:

ASSEMBLY CONCURRENT RESOLUTION No. 5.

Resolved by the Assembly, the Senate concurring, That the two houses of the Legislature of the State of California adjourn sine die at five o'clock P. M. of Tuesday, October 4, 1910.

Resolution read, and referred to Committee on Ways and Means

Also:

By Mr. Hinkle:

WHEREAS, A number of the chambers of commerce and commercial organizations of the Pacific coast, acting upon the suggestion of Rear Admiral Robley D. Evans, have passed resolutions inviting the Governor of the State of California to call a Pacific coast congress for the purpose of urging upon the Congress of the United States the necessity of maintaining permanently in Pacific waters a fleet of battle-ships; and

WHEREAS, Other organizations have requested the calling of a Pacific coast congress to urge upon the Federal Government the importance of the "merchant marine" to the Pacific coast; and

WHEREAS, Both of these subjects are worthy of most careful consideration and mean much to the rapidly growing population and the great business interests of the Pacific coast and mountain states, now, therefore, be it

Resolved, That the holding of a Pacific coast congress to be convened in the city of San Francisco at some convenient time prior to the meeting of the Federal Congress, meets the approval of this Assembly, and we hereby commend the same to the favorable consideration of his Excellency, the Governor of the State of California.

Resolution read, and on motion adopted.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO 1—
(RESUMED)

The following amendment was submitted by Mr. Preston:

On page 6, subdivision f, line 184, strike out the words "three fourths" and insert in lieu thereof the following: "two thirds".

Amendment adopted.

Also:

On page 6, subdivision c, lines 166 and 167, strike out the words: "the property in the state, including" and insert after the word "property", in line 167, page 6, the following: "only, that are".

Mr. Transue moved that the Assembly resolve itself into the Committee of the Whole, with the Speaker in the chair, for the purpose of considering the amendment.

POINT OF ORDER.

Mr. Cronin rose to the following point of order: That the motion was out of order while another question was before the Assembly.

POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Amendment considered.

Upon invitation of the chairman, Mr. Alexander Brown, Chairman of the State Board of Equalization, Senator Curtin, and J. R. Howell addressed the committee.

During the consideration of the constitutional amendment, Mr. Preston asked for, and was granted, unanimous consent to withdraw his amendment.

The following amendments were submitted:

By Mr. Johnston:

In lines 110 and 111, after word "estate" strike out "other than mortgage interests therein"

Amendment withdrawn.

Also:

In lines 132 and 133 strike out the words "other than mortgage interests therein"

Amendment withdrawn.

HON. J. P. TRANSUE IN THE CHAIR.

At three o'clock and fifty minutes P. M., Hon. J. P. Transue in the chair.

By Mr. Hewitt:

Amend by striking out of lines 208 and 209, of printed bill, the words "until such tax has been actually paid," and also by striking out of line 209 the word "such"

Amendment adopted.

By Mr. Rutherford:

Amend by striking out on pages 6 and 7, lines 197, 198, 199, and 200, of printed bill, the words: "Until the year 1918 the State shall reimburse San Bernardino and Placer counties for the net loss in county revenue occasioned by the withdrawal of railroad property from county taxation," and inserting in lieu thereof the following: "The State shall annually reimburse all counties and districts for the net loss in county and district revenue occasioned by the withdrawal of property from county and district taxation."

HON. P. A. STANTON IN THE CHAIR.

At four o'clock and twenty minutes P. M.

Hon. P. A. Stanton in the chair.

SUBSTITUTE FOR AMENDMENT.

The following substitute was offered:

By Mr. Perine:

On page 7, line 198, strike out the words "San Bernardino and Placer" and insert the following words: "Alpine, Butte, Imperial, Madera, Merced, Nevada, Placer, Riverside, San Bernardino, Shasta, Siskiyou, Tehama, and Yuba."

Substitute lost.

SUBSTITUTE OFFERED BY MR. LEEDS.

Mr. Leeds offered the following substitute:

Amend by striking out in line 198, of printed bill, the words "San Bernardino and Placer," and inserting in lieu thereof the following: "all".

Substitute lost.

The question being upon the adoption of the amendment of Mr. Rutherford.

A vote was taken, and the amendment lost.

The following amendments were submitted by Mr. Polsley:

Amend by striking out after the word "section," in subdivision c, line 173, all of lines 173, 174, 175, and 176.

Amendment lost.

Also:

Amend by striking out of subdivision f, line 201, of printed bill, the words "of any county."

Amendment lost.

By Mr. Young:

In line 161, top of page 6, before the period insert a semicolon and the words: "the amount annually set apart for each of said purposes shall not be less than the amounts received from the State (other than by special appropriations), by the public school system, and by the State University, respectively, during the fiscal year 1910-11."

Amendment lost.

Mr. Transue moved that the committee do now rise, and report in favor of the adoption of the constitutional amendment as amended.

Motion carried.

IN ASSEMBLY.

Speaker P. A. Stanton in the chair.

REPORT OF COMMITTEE.

The following report of the Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, October 4, 1910.

GENTLEMEN: Your Committee of the Whole have had under consideration Senate Constitutional Amendment No. 1, and respectfully report the same back with further amendment, and recommend that it be adopted as amended.

STANTON, Chairman.

Mr. Beardslee moved that the report and amendment be adopted.
Motion carried

FURTHER AMENDMENT.

The following amendment was submitted:

By Mr. Hewitt:

Amend by striking out of line 198, of printed bill, the words, "San Bernardino and Placer," and inserting in lieu thereof the following: "any and all counties which sustain loss of revenue by the withdrawal of railroad property from county taxation."

Amendment adopted.

Senate constitutional amendment ordered to reprint and on file for adoption.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, October 4, 1910.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the following committee substitute for Assembly Concurrent Resolutions Nos. 2 and 3, introduced by Senate Finance Committee

LEWIS A. HILBORN, Secretary of Senate

By FRANK MATTISON, Assistant Secretary

Senate committee substitute ordered on file for consideration.

RECESS.

At five o'clock and five minutes P. M., on motion of Mr. Leeds, the Assembly was declared at recess until eight o'clock P. M. of this day.

RECONVENED.

At eight o'clock P. M. the Assembly reconvened.
Speaker P. A. Stanton in the chair.

CONSIDERATION OF SENATE COMMITTEE SUBSTITUTE.

Senate committee substitute for Assembly concurrent resolution was taken up for consideration.

The question being upon the adoption of the committee substitute, a vote was taken, and Senate committee substitute refused adoption

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT.

Senate Constitutional Amendment No. 1, was take up for consideration.

The question being upon the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 1 adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Beban, Black, Bohnett, Callan, Cattell, Cogswell, Collier, Costar, Cronin, Cullen, Dean, Drew, Feeley, Fla-

velle, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Griffiths, Hanlon, Hans, Hayes, Hewitt, Hinkle, Hopkins, Johnson of San Diego, Kehoe, Leeds, Macauley, McManus, Melrose, Moore, Nelson, Odom, Otis, Perine, Preston, Pugh, Pulcifer, Rech, Sackett, Schmitt, Silver, Telfer, Transue, Wagner, Webber, Whitney, Wyllie, Young, and Mr. Speaker—57.

NOES—Messrs. Johnson of Placer, Maher, Mendenhall, Polsley, Rutherford, and Stuckenbruck—6.

Senate constitutional amendment ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 1.

A resolution to propose to the people of the State of California an amendment to the constitution of the State of California providing for the separation of state and local taxation, providing for the taxation of public service and other corporations for the benefit of the state, and to that end adding to article thirteen a new section to be numbered section fourteen, amending section ten of article thirteen, and repealing section ten of article eleven thereof, all relating to revenue and taxation.

WHEREAS, It is deemed desirable to separate the sources of revenue for state purposes from the sources of revenue for county and municipal purposes; now, therefore,

The legislature of the State of California, at its extraordinary session, commencing on the third day of October, nineteen hundred and ten, two thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California the following amendment to the constitution of the State of California:

First—There is hereby added to article thirteen a new section to be numbered fourteen, and to read as follows:

Section 14. Taxes levied, assessed, and collected as hereinafter provided upon railroads, including street railways, whether operated in one or more counties, sleeping car, dining car, drawing-room car, and palace car companies, refrigerator, oil, stock, fruit, and other car-loading and other car companies operating upon railroads in this state; companies doing express business on any railroad, steamboat, vessel or stage line in this state; telegraph companies, telephone companies; companies engaged in the transmission or sale of gas or electricity; insurance companies; banks, banking associations, savings and loan societies, and trust companies; and taxes upon all franchises of every kind and nature, shall be entirely and exclusively for state purposes, and shall be levied, assessed, and collected in the manner hereinafter provided. The word "companies" as used in this section shall include persons, partnerships, joint-stock associations, companies, and corporations.

(a) All railroad companies, including street railways, whether operated in one or more counties; all sleeping car, dining car, drawing-room car, and palace car companies, all refrigerator, oil, stock, fruit and other car-loading, and other car companies, operating upon the railroads in this state: all companies doing express business on any railroad, steamboat, vessel, or stage line in this state; all telegraph and telephone companies; and all companies engaged in the transmission or sale of gas or electricity, shall annually pay to the state a tax upon their franchises, roadways, roadbeds, rails, rolling stock, poles, wires, pipes, canals, conduits, rights of way, and other property, or any part thereof, used exclusively in the operation of their business in this state, computed as follows: Said tax shall be equal to the percentages hereinafter fixed upon the gross receipts from operation of such companies and each thereof within this state. When such companies are operating partly within and partly without this state, the gross receipts within this state shall be deemed to be all receipts on business beginning and ending within this state, and a proportion, based upon the proportion of the mileage within this state to the entire mileage over which such business is done, of receipts on all business passing through, into, or out of this state.

The percentages above mentioned shall be as follows: On all railroad companies, including street railways, four per cent; on all sleeping car, dining car, drawing-room car, palace car companies, refrigerator, oil, stock, fruit and other car-loading, and other car companies, three per cent; on all companies doing express business on any railroad, steamboat, vessel, or stage line, two per cent; on all telegraph and telephone companies, three and one half per cent; on all companies engaged in the transmission or sale of gas or electricity, four per cent. Such taxes shall be in lieu of all other taxes and licenses, state, county and municipal, upon the property above enumerated of such companies, except as otherwise in this section provided; *provided*, that nothing herein shall be construed to release any such company from the payment of any amount agreed to be paid, or required by law to be paid, for any special privilege or franchise granted by any of the municipal authorities of this state.

(b) Every insurance company or association doing business in this state shall annually pay to the state a tax of one and one half per cent upon the amount of the gross premiums received upon its business done in this state, less return premiums and reinsurance in companies or associations authorized to do business in this state; *provided*, that there shall be deducted from said one and one half per cent upon the gross premiums the amount of any county and municipal taxes paid by such companies on real estate owned by them in this state. This tax shall be in lieu of all other taxes and licenses, state, county and municipal, upon the property of such com-

panies, except county and municipal taxes on real estate, and except as otherwise in this section provided; *provided*, that when by the laws of any other state or country, any taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, are imposed on insurance companies of this state, doing business in such other state or country, or upon their agents therein, in excess of such taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions imposed upon insurance companies of such other state or country, so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind may be imposed by the legislature upon insurance companies of such other state or country doing business in this state.

(c) The shares of capital stock of all banks, organized under the laws of this state, or of the United States, or of any other state and located in this state, shall be assessed and taxed to the owners or holders thereof by the state board of equalization, in the manner to be prescribed by law, in the city or town where the bank is located and not elsewhere. There shall be levied and assessed upon such shares of capital stock an annual tax, payable to the state, of one per centum upon the value thereof. The value of each share of stock in each bank, except such as are in liquidation, shall be taken to be the amount paid in thereon, together with its pro rata of the accumulated surplus and undivided profits. The value of each share of stock in each bank which is in liquidation shall be taken to be its pro rata of the actual assets of such bank. This tax shall be in lieu of all other taxes and licenses, state, county and municipal, upon such shares of stock and upon the property of such banks, except county and municipal taxes on real estate, and except as otherwise in this section provided. In determining the value of the capital stock of any bank there shall be deducted from the value, as defined above, the value, as assessed for county taxes, of any real estate other than mortgage interests therein, owned by such bank and taxed for county purposes. The banks shall be liable to the state for this tax, and the same shall be paid to the state by them, on behalf of the stockholders, in the manner and at the time prescribed by law, and they shall have a lien upon the shares of stock, and upon any dividends declared thereon to secure the amount so paid.

The moneyed capital, reserve, surplus, undivided profits, and all other property belonging to unincorporated banks or bankers of this state, or held by any bank located in this state which has no shares of capital stock, or employed in this state by any branches, agencies, or other representatives of any banks doing business outside of the State of California, shall be likewise assessed and taxed to such banks or bankers by the said board of equalization, in the manner to be provided by law, and taxed at the same rate that is levied upon the shares of capital stock of incorporated banks, as provided in the first paragraph of this subdivision. The value of said property shall be determined by taking the entire property invested in such business, together with all the reserve, surplus, and undivided profits, at their full cash value, and deducting therefrom the value as assessed for county taxes of any real estate, other than mortgage interests therein, owned by such bank and taxed for county purposes. Such taxes shall be in lieu of all other taxes and licenses, state, county and municipal, upon the property of the banks and bankers mentioned in this paragraph, except county and municipal taxes on real estate, and except as otherwise in this section provided. It is the intention of this paragraph that all moneyed capital and property of the banks and bankers mentioned in this paragraph shall be assessed and taxed at the same rate as an incorporated bank, provided for in the first paragraph of this subdivision. In determining the value of the moneyed capital and property of the banks and bankers mentioned in this subdivision, the said state board of equalization shall include and assess to such banks all property and everything of value owned or held by them, which go to make up the value of the capital stock of such banks and bankers, if the same were incorporated and had shares of capital stock.

The word "banks" as used in this subdivision shall include banking associations, savings and loan societies and trust companies, but shall not include building and loan associations.

(d) All franchises, other than those expressly provided for in this section shall be assessed at their actual cash value, in the manner to be provided by law, and shall be taxed at the rate of one per centum each year, and the taxes collected thereon shall be exclusively for the benefit of the state.

(e) Out of the revenues from the taxes provided for in this section, together with all other state revenues, there shall be first set apart the moneys to be applied by the state to the support of the public school system and the state university. In the event that the above named revenues are at any time deemed insufficient to meet the annual expenditures of the state, including the above named expenditures for educational purposes, there may be levied, in the manner to be provided by law, a tax for state purposes, on all the property in the state, including the classes of property enumerated in this section, sufficient to meet the deficiency. All property enumerated in subdivisions a, b, and d of this section shall be subject to taxation, in the manner provided by law, to pay the principal and interest of any bonded indebtedness created and outstanding by any city, county, town, township or district, before the adoption of this section. The taxes so paid for principal and interest on such bonded indebtedness shall be deducted from the total amount paid in taxes for state purposes.

(f) All the provisions of this section shall be self-executing, and the legislature shall pass all laws necessary to carry this section into effect, and shall provide for a valua-

tion and assessment of the property enumerated in this section, and shall prescribe the duties of the state board of equalization and any other officers in connection with the administration thereof. The rates of taxation fixed in this section shall remain in force until changed by the legislature, two thirds of all the members elected to each of the two houses voting in favor thereof. The taxes herein provided for shall become a lien on the first Monday in March of each year after the adoption of this section, and shall become due and payable on the first Monday in July thereafter. The gross receipts and gross premiums herein mentioned shall be computed for the year ending the thirty-first day of December prior to the levy of such taxes, and the value of any property mentioned herein shall be fixed as of the first Monday in March. Nothing herein contained shall affect any tax levied or assessed prior to the adoption of this section, and all laws in relation to such taxes in force at the time of the adoption of this section shall remain in force until changed by the legislature. Until the year 1918 the state shall reimburse any and all counties which sustain loss of revenue by the withdrawal of railroad property from county taxation for the net loss in county revenue occasioned by the withdrawal of railroad property from county taxation. The legislature shall provide for reimbursement from the general funds of any county to districts therein where loss is occasioned in such districts by the withdrawal from local taxation of property taxed for state purposes only.

(g) No injunction shall ever issue in any suit, action, or proceeding in any court against this state or against any officer thereof to prevent or enjoin the collection of any tax levied under the provisions of this section; but after payment, action may be maintained to recover any tax illegally collected in such manner, and at such time as may now or hereafter be provided by law.

Second—Section ten of article thirteen of said constitution is hereby amended to read as follows:

Section 10. All property, except as otherwise in this constitution provided, shall be assessed in the county, city, city and county, town or township, or district in which it is situated, in the manner prescribed by law.

Third—Section ten of article eleven of said constitution is hereby repealed.

ASSEMBLY CONCURRENT RESOLUTION.

Assembly Concurrent Resolution No. 4 was taken up for consideration.

The question being upon the adoption of the concurrent resolution.

The roll was called, and the concurrent resolution adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Belan, Black, Bohnett, Callan, Cattell, Cogswell, Collier, Collum, Costar, Cronin, Cullen, Dean, Drew, Feeley, Flavelle, Fleisher, Flint, Gerdes, Gibbons, Gillis, Greer, Hanlon, Haus, Hayes, Hewitt, Hinkle, Hopkins, Johnson of San Diego, Johnson of Placer, Juillard, Kehoe, Leeds, Macauley, Maher, McManus, Melrose, Mendenhall, Moore, Nelson, Odom, Otis, O'Neill, Pernie, Polsky, Preston, Pugh, Pulcifer, Rech, Ruthrford, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Whitney, Wilson, Wyllie, Young, and Mr. Speaker—66.

NOES—None.

Assembly concurrent resolution ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 4.

To rescind and annul a resolution, known as Senate Constitutional Amendment No. 1, adopted by the Legislature March 19, 1909, being a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California providing for the separation of state and local taxation, providing for the taxation of public service and other corporations for the benefit of the State, and to that end adding to article thirteen a new section, to be numbered section fourteen; amending section ten of article thirteen, and repealing section ten of article eleven thereof, all relating to revenue and taxation.

Resolved by the Legislature of the State of California, two thirds of all the members elected to each of the two houses thereof concurring. That a resolution to propose to the people of the State of California an amendment to the constitution of the State of California providing for the separation of state and local taxation, providing for the taxation of public service and other corporations for the benefit of the State, and to that end adding to article thirteen a new section to be numbered section fourteen, amending section ten of article thirteen, and repealing section ten of article eleven thereof, all relating to revenue and taxation, adopted by the Legislature March 19, 1909, and known as Senate Constitutional Amendment No. 1, is hereby rescinded and annulled, and the Secretary of State is hereby directed not to certify said proposed amendment to the county clerks of the several counties of the State of California, pursuant to Section 1195 of the Political Code.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, October 4, 1910.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Concurrent Resolution No. 5—Relative to adjourning *sine die*—have had the same under consideration, and respectfully report back a committee substitute, and recommend that the committee substitute be adopted

BEARDSLEE, Chairman.

ASSEMBLY CONCURRENT RESOLUTION No. 5.

Resolved by the Assembly, the Senate concurring. That the houses of the Legislature of the State of California adjourn *sine die* at the hour of ten o'clock and thirty minutes A. M. of Wednesday, October 5, 1910.

Resolution read, adopted, and ordered transmitted to the Senate.

EXPLANATION OF VOTE.

The following was sent to the desk, and ordered printed in the Journal:

EXPLANATION OF THE VOTE OF KENNETH C. GILLIS, OF DEL NORTE, SISKIYOU, AND TRINITY COUNTIES.

I this day voted to amend Senate Constitutional Amendment No. 1 by inserting therein the words "the year ending", as requested by the Governor's call, and against all other amendments for the following reason.

This special session of the Legislature was called for the sole purpose of amending the above constitutional amendment by inserting therein the words "the year ending" so that it could go before the people in proper form, and upon its merits; and I do not believe at this time that we should in any way attack the merits of the proposed amendment to the extent that it can not be so submitted. I believe that as this Legislature in its regular session passed upon this question, and decided that it should be submitted to the people, we should not defeat and annul the action it heretofore took when only called upon to correct a clerical error in the said amendment as passed at said regular session of the Legislature.

KENNETH C. GILLIS,
Assembly District No. 1.

ADJOURNMENT.

At eight o'clock and thirty minutes P. M., on motion of Mr. Transue, the Speaker declared the Assembly adjourned until nine o'clock and thirty minutes A. M. of Wednesday, October 5, 1910.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, October 5, 1910. }

At nine o'clock and thirty minutes A. M., pursuant to adjournment, the Assembly was called to order.

Hon. P. A. Stanton, Speaker of the Assembly, in the chair.

The roll was called, and the following members answered to their names:

Messrs. Barndollar, Baxter, Beardslee, Beatty, Beban, Black, Bohnett, Callan, Cattell, Coghlan, Cogswell, Collier, Collum, Costar, Cronin, Cullen, Dean, Drew, Flavelle, Fleisher, Flint, Griffiths, Hanlon, Hans, Hays, Hewett, Hinkle, Hopkins, Irwin, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Juilliard, Kehoe, Macauley, Maher, McClellan, McManus, Melrose, Mendenhall, Moore, Mott, Nelson, Odom, Otis, O'Neill, Polsley, Preston, Pulcifer, Rech, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Wheelan, Whitney, Wilson, Wyllie, Young, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer was offered by the Rev. W. S. Hoskinson, of Sacramento.

READING OF JOURNAL.

During the reading of the Journal, on motion of Mr. Juilliard, its further reading was dispensed with.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, October 4, 1910.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1—An Act making an appropriation for printing constitutional amendments.

Also. Concurred in Assembly amendments to Senate Constitutional Amendment No. 1.

Also: Concurred in Assembly Concurrent Resolution No. 4—To rescind and annul a resolution, known as Senate Constitutional Amendment No. 1, adopted by the Legislature March 19, 1909.

LEWIS A. HILBORN, Secretary of Senate.

Senate Bill No. 1 read first time and referred to Committee on Ways and Means, with instructions to report immediately.

Assembly Concurrent Resolution No. 4 ordered to enrollment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, October 5, 1910.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 1—An act making an appropriation for printing constitutional amendments—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BEARDSLEE, Chairman.

Bill ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Beardslee:

Resolved, That Senate Bill No. 1 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called, and resolution adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Black, Bohnett, Callan, Cattell, Coghlan, Cogswell, Collum, Costar, Cronin, Cullen, Drew, Flavelle, Fleisher,

Flint, Gerdes, Gibbons, Griffiths, Hanlon, Hans, Hayes, Hewitt, Hinkle, Hopkins, Irwin, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Juillard, Kehoe, Macauley, Maher, Melrose, Mendenhall, Moore, Mott, Nelson, Odom, Otis, O'Neill, Polsley, Preston, Pugh, Pulcifer, Rech, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Whitney, Wilson, Wyllie, Young, and Mr. Speaker—61.

NOES—None.

SECOND READING OF SENATE BILL.

Senate Bill No. 1—An Act making an appropriation for printing constitutional amendments.

Mr. Beardslee moved that the Assembly resolve itself into the Committee of the Whole, with the Speaker in the chair, for the purpose of considering the bill.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 1 considered.

Mr. Beardslee moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker P. A. Stanton in the chair.

REPORT OF COMMITTEE.

The following report of the Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, October 5, 1910.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 1, and do now report the same back, and recommend that it do pass

STANTON, Chairman.

Bill read second time and ordered to third reading.

THIRD READING OF BILL.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1 finally passed by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Black, Bohnett, Callan, Cattell, Coghlan, Cogswell, Collum, Cronin, Cullen, Flavell, Flint, Gerdes, Gibbons, Griffiths, Hanlon, Hans, Hayes, Hewitt, Hinkle, Hopkins, Irwin, Johnson of San Diego, Johnson of Placer, Johnson of Contra Costa, Juillard, Kehoe, Macauley, Maher, Melrose, Mendenhall, Moore, Nelson, Odom, Otis, O'Neill, Polsley, Preston, Pugh, Pulcifer, Rech, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Whitney, Wilson, Young, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, October 5, 1910.

MR. SPEAKER: Your Committee on Contingent Expenses and Accounts, to whom was referred a resolution authorizing the payment of claims against the Assembly, have had the same under consideration, and respectfully recommend its adoption:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same, for the sum of \$28.55 in favor of J. T. Stafford, Sergeant-at-Arms of the Assembly, same being for the payment of the following bills:

Western Union Telegraph Co., telegrams-----	\$2 90
Pacific Telegraph and Telephone Co., rent, etc-----	9 00
Kane & Trainor Ice Co., ice-----	2 25
Ralph Solars, rent of machine-----	5 00
Whiskey Hill Water Co., water-----	7 50
Telephone message to Hans at San Francisco-----	40
Telephone message to Hammon at Los Angeles-----	1 50
	<hr/> \$28 55

TELFER, Chairman.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Black, Bohnett, Callan, Cattell, Coghlan, Cogswell, Costar, Cronin, Cullen, Flavell, Fleisher, Flint, Gerdes, Gibbons, Griffiths, Hanlon, Hans, Hayes, Hewitt, Hinkle, Hopkins, Johnson of San Diego, Johnson of Placer, Johnson of Contra Costa, Juillard, Kehoe, Macauley, Maher, McClellan, Melrose, Mendenhall, Moore, Mott, Nelson, Odom, Otis, O'Neill, Polsley, Preston, Pugh, Pulcifer, Rech, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Whitney, Young and Mr. Speaker—57.

NOES—None.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, October 5, 1910.

MR. SPEAKER. Your Committee on Mileage beg leave to report that they have computed the mileage according to Part II, Title III, of Section 237 of the Political Code, and recommend the adoption of the resolution herewith.

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following member of the Assembly for the amount set opposite his name, and the State Treasurer is hereby ordered and directed to pay the same: Assemblyman Rowen Irwin, Bakersfield, mileage, 55½ miles; amount, \$55.60.

CRONIN, Chairman.

The question being upon the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Black, Bohnett, Callan, Cattell, Coghlan, Cogswell, Costar, Cronin, Cullen, Flavell, Fleisher, Flint, Gerdes, Greer, Griffiths, Hanlon, Hans, Hayes, Hewitt, Hinkle, Hopkins, Johnson of San Diego, Johnson of Placer, Johnson of Contra Costa, Juillard, Macauley, Maher, McClellan, Melrose, Mendenhall, Moore, Mott, Nelson, Odom, Otis, O'Neill, Polsley, Preston, Pugh, Pulcifer, Rech, Sackett, Schmitt, Silver, Stuckenbruck, Telfer, Transue, Wagner, Webber, Whitney, Young, and Mr. Speaker—56.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Mr. Transue:

WHEREAS, It will be necessary for our Minute Clerk, H. A. Harper, and our Journal Clerk, Wm. Nye, to remain in Sacramento for several days after the close of this session to revise and complete our minutes and our Journal; therefore, be it

Resolved, That the Controller be and is hereby authorized and directed to draw his warrant on the Contingent Fund of this Assembly in the sum of twenty-five dollars (\$25) in favor of said H. A. Harper, and also in the sum of twenty-five dollars (\$25) in favor of said Wm. Nye, in full payment for such services, and the State Treasurer is hereby directed to pay the same.

The question being upon the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Black, Bohnett, Callan, Cattell, Cogswell, Costar, Cronin, Cullen, Flavell, Fleisher, Flint, Gerdes, Greer,

Griffiths. Hanlon, Hans, Hewitt, Hinkle, Hopkins, Irwin, Johnson of San Diego, Johnson of Placer, Johnston of Contra Costa, Juilliard, Maher, McClellan, Melrose, Mendenhall, Moore, Mott, Nelson, Odom, Otis, O'Neill, Polsley, Preston, Pugh, Pulcifer, Rech, Sackett, Schmitt, Silver, Stuckenbruck, Transue, Wager, Webber, Whitney, Wilson, Young, and Mr. Speaker—54.

NOES—None.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, October 5, 1910.

MR. SPEAKER: I am directed to inform your honorable body, that the Senate returns to your honorable body Committee Substitute for Assembly Concurrent Resolutions Nos. 2 and 3 as per your request, and concurred in Assembly Concurrent Resolution No. 5—Relative to adjournment *sine die*.

LEWIS A. HILBORN, Secretary of Senate.

By FRANK MATTISON, Assistant Secretary.

Assembly Concurrent Resolution No. 5 ordered to enrollment.

RESOLUTION.

The following resolution was offered:

By Mr. Schmitt:

WHEREAS, A most atrocious crime has been committed in the city of Los Angeles, the enormity of which has seldom, if ever, been equaled in the criminal annals of this State, and which resulted in the sacrifice of the lives of many citizens of our State, and the destruction of the valuable property of the Los Angeles Times; and

WHEREAS, It is fit and proper that the State of California should lend all possible assistance towards the apprehension and conviction of the guilty party or parties; now, therefore, be it

Resolved, That for the purposes aforesaid the sum of ten thousand dollars is hereby appropriated from the Contingent Fund of the Assembly, the same to be paid upon the apprehension and conviction of the person or persons guilty of said crime, to the person or persons giving information leading to the conviction of the guilty party or parties; and upon the approval of the Speaker of the Assembly at such time as the conviction may be secured, the Controller is hereby directed to draw his warrant in the sum of ten thousand dollars from the Contingent Fund of the Assembly, payable to the Speaker of the Assembly, and the State Treasurer is hereby directed to pay the same.

The question being upon the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barndollar, Baxter, Beardslee, Beatty, Black, Bohnett, Callan, Cattell, Coghlan, Cogswell, Collum, Costar, Cronin, Cullen, Dean, Fleisher, Flint, Gerdes, Greer, Griffiths, Hanlon, Hans, Hayes, Hewitt, Hinkle, Hopkins, Johnson of San Diego, Johnson of Contra Costa, Macauley, McClellan, McManus, Melrose, Moore, Mott, Nelson, Odom, Otis, O'Neill, Pugh, Pulcifer, Rech, Sackett, Schmitt, Silver, Telfer, Transue, Wagner, Wheelan, Whitney, Wilson, and Mr. Speaker—51.

NOES—Messrs. Flavell, Gibbons, Irwin, Johnson of Placer, Juilliard, Kehoe, Maher, Mendenhall, Polsley, Preston, and Stuckenbruck—11.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, October 5, 1910.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following resolution, Assembly Concurrent Resolution No. 4, has been correctly enrolled, and was presented to the Governor at ten o'clock A. M. of Wednesday, October 5, 1910.

YOUNG, Chairman.

APPROVAL OF JOURNAL.

On motion of Mr. Transue, the Journals of Monday, October 3, and Tuesday, October 4, 1910, were approved as corrected by the Minute Clerk.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Hewitt:

Resolved, That a committee of three be appointed by the Speaker to wait upon his Excellency James N. Gillett, and notify him that the Assembly has concluded its labors under the call for an extraordinary session of the Legislature, and that this body awaits his further pleasure.

Resolution read and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above motion the Speaker appointed Assemblymen Hewitt, Polsley, and Barndollar as such committee.

By Mr. Beardslee:

Resolved, That a committee of three be appointed by the Speaker to inform the Senate that the Assembly has concluded its labors, and that we await the further pleasure of the Senate.

Resolution read and adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution the Speaker appointed Assemblymen Beardslee, Hanlon, and Hinkle as such committee.

COMMITTEE FROM THE SENATE.

A committee from the Senate, comprising Senators Welch, Burnett, and Campbell, appeared before the bar of the Assembly and reported that the Senate was ready to adjourn, and asked if the Assembly had any further communication to make to the Senate.

The Speaker stated that the Assembly would communicate with the Senate through its committee.

REPORT OF SELECT COMMITTEE.

The committee to wait upon the Senate appeared before the bar of the House, and reported that the instructions of the Assembly had been carried out, and that the Senate would communicate its wishes through a committee from that body.

REPORT OF SELECT COMMITTEE

The committee appointed to wait upon the Governor, relative to adjournment, appeared before the bar of the House and reported that they had carried out the instructions of the Assembly, and that the Governor had no further communication to make to the Assembly and wished to congratulate the Assembly upon the speedy and economic way in which the Assembly had concluded its labors.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Coghlan:

WHEREAS, The Hon. Chas. F. Curry, Secretary of State of the State of California, is, after faithfully and efficiently serving the people of the State in that capacity for three successive terms, about to retire from public office; and

WHEREAS, The said Hon. Chas. F. Curry has on all occasions during his incumbency of said office uniformly tendered to the members of this House the courtesy of his office; and

WHEREAS, The said Hon. Chas. F. Curry has on all occasions voluntarily and cheerfully contributed to this House and to the members the assistance of his wide experience and profound knowledge of matters pertaining to legislation; and

WHEREAS, This House is deeply sensible of the great loss sustained by the State of California by his retirement from said office; now, therefore, be it

Resolved, That we, the members of the Assembly of the State of California, do hereby express our deep appreciation of the many services and courtesies, personal and official, we have from time to time had at the hands of said Hon. Chas. F. Curry, and that we tender him our hearty commendation of his splendid and unselfish official career.

And be it further resolved, That a copy hereof be presented to said Hon. Chas. F. Curry.

Resolution read and on motion adopted.

By Mr. Beardslee:

Resolved, That the Sergeant-at-Arms be empowered and directed to receipt to the State Controller for the warrants of the members of the Assembly.

Resolution read, and, on motion. adopted.

EXPLANATION OF VOTE.

The following was sent to the desk and ordered printed in the Journal:

In explanation of my vote on the resolution appropriating ten thousand dollars, I desire to say that I think the amount appropriated is too large and not needed, and for that reason I voted no.

J. W. PRESTON

READING AND APPROVAL OF MINUTES.

The minutes of Wednesday, October 5, 1910, were read, and on motion of Mr. Transue, approved.

ADJOURNMENT.

At ten o'clock and thirty minutes A. M., of Wednesday, October 5, 1910, the Hon. P. A. Stanton, Speaker of the Assembly, announced that the time for final adjournment of the extra session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned *sine die*.